



**INTERNATIONAL FEDERATION OF WOMEN LAWYERS
(FIDA) NIGERIA**

A Simplified Pidgin Version of
**THE ADMINISTRATION
OF CRIMINAL JUSTICE ACT (ACJA)
FEDERAL REPUBLIC OF NIGERIA
2015**

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With Support From

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QUESTION: Wetin fit make pesin pay money to defendant?
Section 108

- a. Where dem free defendant make im dey go (discharged and acquitted) the Court fit order the Lawyer or pesin wey bring the case come Court, to pay the defendant. Where pesin wey talk lie or talk anyhow give Court wey come make dem charge another pesin go Court, the pesin wey lie or talk anyhow go pay money (compensation) to the pesin wey dem arrest.

CONCLUSION:

The ACJA, 2015 no be for onle Police or Judges alone o na for everybody. So we dey beg una make una sabi una rights and responsibilities and wetin follow am as beta people of Naija as this Law give us. If everybody do their part, the reason why dem bring this Law we go see am and dat one go come make our Criminal Justice System work well.

- a. Yes o. This one dem dey call am release on parole. If the convict come show say im don dey sorry, come dey behave well and e don serve part of im punishment for prison, the Court fit order make dem release am on parole. For example: pesin wey Court say make im prison for 5 years, dem fit release am after 2 or 3 years if e show say im don change, come get good character.

COST AND COMPENSATION

QUESTION: Pesin wey dem don convict, dem fit tell am make im pay money (compensation or damages) to pesin wey suffer from the crimina mata? – Section 314

- a. Court fit order pesin wey be defendant or convict to pay money (compensation or damages) to pesin wey suffer from the crimina mata plus anyoda punishment wey Court fit tell make im do.

QUESTION: Dem fit handle one case as civil and criminl mata for the same time? – Section 314

- a. Yes o. Dem fit handle one case as civil and criminal but for different Courts.

INTRODUCTION

The ACJA, 2015 wey dem pass into Law for May, 2015. The Law na to comot problem wey dey make Crimina mata tey for Court, wey dey make yeye of the rights wey people suppose get for the plenti criminal mata and how people wey suppose keep Law dey spoil am. To com add to that one, dem make the Law make e help people wey suffer from criminal mata and to give another way for punishment and other mata wey follow join. This Law repair the Criminal Procedure Code and Criminal Procedure Act wey be the Law wey dey before. Na this Law be the ogbonge Law wey dem go dey use do Crimina mata.

This ACJA for Pidgin English na to help make e dey easy to read and understand for people. This na because everybody get one thing or the other to do make this Law fit work well. This Pidgin English own na for everybody to read, make dem sabi this Law and wetin dem suppose do.

OVERVIEW

QUESTION: Wetin this ACJA, 2015 wan do?

- a. The tin wey dis Law wan do na:
 - i. To see say dem manage Crimina mata for Naija well well
 - ii. To make dem dey finish Crimina mata quick quick because mata wey dey make people loose their rights
 - iii. To protect we society from Crimina mata
 - iv. To protect the right of people wey suffer Crinima mata, pesin wey dem suspect and pesin wey dem carry go Court.

QUESTION: Wetin be the mata wey dey inside this Law?

- a. This Law cover plenty tins. Some of the mata na:
 - i. Arrest and bail

Apart from the probation wey we talk before, Court fit talk say make pesin dey work for community wey fit be to sweep the road, cut grasses, wash gutter, wash latrine, help in the farm work or building or mining or any type of work wey the Court think say go help the pesin change in character for good.

This Law still talk say, dem fit suspend sentence which mean say even though dem don sentence the pesin, dem fit ask am make im no serve the sentence if im meet some conditions wey the Court go give am.

Court fit order community service and suspended service together.

Sentence wey no need pesin to go prison na to make number of pesins wey dey prison to reduce and to help to correct people character so that small offenders no go mix with hardened criminals wey don dey for prison.

QUESTION: Dem fit release pesin wey Court don convict before im finish im sentence? – Section 468

Befo befo sentence bi say de person wey comit offence go pay money (fine) or go go prison or go do de two. But for ACJA, dem don join other types of sentencing for small small crimina mata for small pikin dem and for people wen de comit offence for the first time.

QUESTION: Court fit release convict wey neva go prison?

- a. Yes o, for some mata dey Court fit give Probation order. Court dey give this order if dem look am say the offence na small offence, the age, character, history and behavior of the pesin wey commit the offence and other tins wey dey inside the mata. And come see say e go better make dem leave the offender make im dey go, bet im go pay money (damages) to the pesin wey suffer and im go let probation officer dey monitor am.

QUESTION: If dem no sentence Convict to prison, wetin be oda sentencing wey dey? – Section 460-467

- a. Wen Court dey give sentence, the Court go check weda na to go stay for prison or not na im better. Sentence wey no need pesin to go prison, na the kain of punishment wey pesin no need to go stay for jail.

- ii. To stop people make dem no dey commit offence
- iii. To help how dem go dey do the crimina mata for Court
- iv. Protect pesin and im property
- v. To reduce punishment
- vi. To hold pesin for inside jail
- vii. Money mata wey dem go give pesin wey suffer
- viii. Punishment for pesin wey commit offence and offences wey no dey give pesin for jail
- ix. Administration of Criminal Justice Torchlight Committee

QUESTION: Dem fit arrest pesin wey do somethings wey no be Crimina mata? -Section 8

- a. No na! Na only pesin wey dem dey suspect say im don commit offence na im dem fit arrest. Dem no go arrest pesin wey no fit pay house rent, pesin wey dey owe

money and for land mata as dem no be crimina mata.
Any pesin wey get dis kain mata, make im go Court.

QUESTION: Who get power to arrest pesin? -Section 18-28

- a. Only Police and any ordinary pesin na im fit arrest anybodi wey commit Crimina mata. If pesin commit offence wen you dey there or you see am say the pesin don commit offence, you fit arrest am, carry am go Police station sharp sharp.

The Police go write im name, address and the particulars of the pesin wey make the arrest and everything wey make am do the arrest. If the Police no come do anything, the pesin wey do the arrest fit carry the mata go meet Magistrate even if e no get Lawyer.

You get power to arrest pesin wey dey spoil public or anoda pesin property.

If Judge, Magistrate or Police officer or any other pesin wey make the arrest need help, e go good make you help any of these people wey dey make the arrest so the suspect no go run away.

TRIAL OF A CHILD OR YOUNG PERSON

QUESTION: How dem go handle criminal mata wey concern small pikin? Section 452

- a. Dem go use Child Rights Act handle case wey concern small pikin.

CONVICTION AND SENTENCING

QUESTION: Wetin bi the difference for between person we bi defendant and person wey bi convict?

Defendant na person wey dem say e commit crime but court neva tok say im dey gulti, if court come say the defendant de gulti, e don become convict bi dat.

QUESTION: Wetin bi sentencing? Section 416-437

- a. Wen court don see say person de gulti, court go convict that person, come give am punishment. Na de punishment na im bi sentence.

If the Judge or Magistrate see say dem no force anybody for the agreement, the Judge fit convict and sentence the defendant according to the agreement. Bet im must tell the defendant weda im believe say the offence suppose get punishment wey big pass as e dey for the agreement. If the defendant gree, say the punishment suppose dey higher dem go sentence am. If e no gree, the Case go start again for another Judge or Magistrate.

QUESTION: Na anybody fit enter Court, hear mata?

- a. Yes na. The general public free to enter Court hear mata.

QUESTION: E get any mata wey Judge or Magistrate go fit stop anybodi to come hear for Court?

- a. Yes na. E get some cases wey Judge or Magistrate fit stop pesin make im come hear.

QUESTION: Small pikin fit come Court, come hear mata?

- a. Court no go gree make any small pikin come Court to hear any mata wey no concern the pikin unless the pikin dey the mata or dem carry the pikin for hand.

QUESTION: How dem dey take do arrest? – Section 3-7

- a. You fit arrest pesin weda you get authority or not.

Step 1: You no need touch or put handcuff on pesin wey you wan arrest if the pesin gree make you arrest am without fight or struggle.

Step 2: The Police or pesin wey dey arrest must tell the pesin wey im dey arrest why im dey arrest am. But if you catch the suspect, wen e dey commit the offence/run comot from custody, you no need tell am why you dey arrest am.

Step 3: The Police or any pesin wey dey arrest go tell the suspect, the right wey im get for inside our Law. The right wey im get na:

- i. Na to keep quiet and no answer any questions until im don talk with im Lawyer or any pesin wey im choose;
- ii. Im Lawyer go advice am before im go talk anything or answer any question; and
- iii. Tell dem make dem give am Lawyer even if im no get money to pay Lawyer. Government office wey dem dey

call Legal Aid Council of Nigeria dey help for dis kain mata.

Step 4: Police go tell the suspect people or next of kin say dem don arrest am and im no go pay.

QUESTION: Police get power to search anywhere wey im want? -Section 12 and 13

- a. Pesin wey show say im be Police or wey get authority to search, come know say pesin wey im want arrest don enter somewhere, im get power to tell the pesin wey get the place wey the suspect enter say im want search.

Where the pesin wey get the place wey the suspect enter, no gree the Police to follow-enter, after im don show say im be Police or im get authority to search, the Police fit enter the place by force, im fit break door and window join but na only when dem no gree am enter o!

Where the suspect con enter house where women wey no dey comot for outside or women wey dey cover bodi or women wey no dey comot outside becos of culture or religion, the pesin wey go arrest, if na man musto tell

QUESTION: Court go fit arrest pesin wey im don leave make im go (discharge or acquit) for the same offence again?

– Section 108

- a. Pesin wey Court free make im go (discharge), Court fit still arrest for that same mata again bet if the Court free the pesin and come tell am say make dem dey go (acquit) Court no fit arrest am for same mata again. Bet, Court fit arrest am for a different mata inside the same offence.

QUESTION: How dem dey do Plea Bargain?

- a. This one na where defendant no gree say im commit offence wey dem charge am for bet im gree say im commit another offence wey small pass that one dem charge am for. Inside this Law, the prosecutor fit gree if defendant plead say im dey guilty for the small offence wey im commit instead of the big offence.

The Prosecutor must get permission of the pesin wey suffer and make defendant sign agreement say im go pay am. Dem go give the agreement to AG. The Judge or Magistrate no get any role inside plea bargaining mata.

dey guilty for offence wey dem fit kill pesin put, the Court go write say im no dey guilty.

QUESTION: Wetin go happen if Court see say, Defendant dey guilty? – Section 310

- a. If Court see say Defendant dey guilty and im commit the offence, Court go convict am, sentence am according to the ACJA and the Law wey create the offence.

QUESTION: Wetin go happen if Court say Defendant no dey guilty? – Section 309

- a. If the prosecutor (the person wey start case against defendant) come withdraw the case before defendant defend himself, then Court go free defendant. Bet if the prosecutor come withdraw the case, after defendant don defend himself or the Court see say defendant no dey guilty after im don defend himself, Court go leave (acquit) am and dem go close the case.

the woman or women before im go enter their place and im go give dem time to cover demself or hide. Bet, if the pesin wey wan arrest na woman, im no need tell them.

QUESTION: If suspect no dey, dem fit arrest im people? - Section 7

- a. No na! If them no see suspect, dem no fit arrest people wey be im family memba wey no follow commit the Crimina mata. This Law no gree make dem arrest pesin wey no be the suspect. Also the Law no follow gree make dem arrest suspect Mama, Papa, Broda, Sista, Neighbour, Friend, Pikin or any pesin wey be family of suspect.

Any pesin wey dem arrest wey no commit any crimina mata, the pesin wey arrest am go pay am big money from im salary.

QUESTION: How dem go treat pesin wey dem arrest?

- a. The pesin wey dem arrest never be crimina until Court talk so. This one con mean say pesin wey dem arrest

dem go treat am well well becos im still dey innocent until Court talk say im dey guilty.

Make dem treat all pesin wey dem arrest like human beings not like animals, this Law no gree make dem dey beat suspect, if the pesin wey dem arrest do the suspect anyhow apart from wetin this Law or any Law for this Naija talk, the pesin or im family go go Court, go ask for big money.

QUESTION: Who go search suspect? -Section 9(3)

- a. Police wey be man, fit search suspect wey be man. Police wey be woman fit search suspect wey be woman. If e no fit find Police wey be the same with suspect, dem fit tel anybody wey be the same with the suspect make im do the search.

QUESTION: How dem dey search suspect? – Section 9

- a. Police wey dey search suspect go use power wen e need. If suspect gree make dem search am, den no need to use power. Everything wey suspect carry for body, Police suppose keep am well. Make dem leave im

QUESTION: Who dey pay the money wey witness spend? – Sections 251-254

- a. The Registrar of Court go pay the transport money of witness wey come testify for Court (against the defendant). Bet wen witness come testify for defendant and apply make dem pay transport money, na Court go decide weda dem go pay am from Court or Defendant money.

QUESTION: Wetin go happen if witness come Court dey lie? – Section 347

- a. This na perjury. If the Court come sabi say the witness dey lie, the Court go charge the witness for perjury and the witness go answer for am.

QUESTION: Wetin be arraignment? – Section 273 &274

- a. Wen dem don file Charge, de case don start be that o. The first day wey defendant go come Court, dem go tell am the Crimina mata wey dem talk say im do. Dem go ask am weda im dey guilty or not guilty. If im say im no dey guilty for offence, den de case go start, if im say im

- a. The case fit start for Magistrate or High Court. The prosecutor and the Lawyer for the defendant go bring all the documents and evidence wey dem go use for the mata, give each other. Na dis dem dey call Frontloading.

QUESTION: Wetin Court go do make defendant dey come Court? - Section 113-115

- a. The Court get power to give order (through Summons) make defendant dey come Court anyday or anytime. The Law no gree make defendant disobey Court order. That kain pesin dem go arrest again and bring am come Court by force.

QUESTION: How Court dey take make witnesses make dem come Court? – Section 241-250

- a. Na the work of every citizen wey be witness to crimina mata to come talk for Court. If e no wan come Court, Court go give order wey dem call Subpoena make you come talk and this Law no gree make you disobey that order. Any pesin wey disobey this Court order, dem go arrest this pesin bring am come Court by force.

clothe wey im wear for body. Dem no suppose naked am.

Dem no suppose search suspect wey dem don give bail unless dem believe say e get things wey e steal, wey e fit use wound pesin, poison pesin or things wey connect with the crimina mata wey e commit.

QUESTION: Wetin dem go do with the things wey dem see suspect bodi wen dem search am? – Section 10

- a. Anytin wey dem see for suspect body wen dem search am dem suppose write am down, the suspect and the Police musto sign am. Dem go give one copy to the suspect or any pesin wey im choose. Where dem release suspect bcos dem no fit see any evidence, tins wey dem collect from am, dem suppose return am sofar say dem no connect to the crimina mata.

QUESTION: Wetin go happen after arrest? – Section 14, 15 &17

Step 1: Carry the pesin go Police sharp sharp;

Step 2: Tell the suspect sharp sharp for language wey im sabi wetin im do;

Step 3: Police suppose record wetin dem talk say im do, the date and where dem arrest am, the suspect full name, im work, address, where im tall reach, im foto, finger print and anyoda tin wey dem go fit take know suspect plus im BVN all of this make im no pass 48 hours;

Step 4: Dem go give suspect chance make im get advice from im Lawyer make im defend or release am and dem go do all these for where Police dey;

Step 5: Give suspect chance make im talk with im people wey go fit bail am;

Step 6: Where suspect wan talk anything, make the police write am down, dem fit also video am where em lawyer or any person wen em choose dey. If the suspect no hear or sabi speak or write english dem suppose get pesin wey go interprete for am. That pesin suppose write wetin im talk, con read am again to suspect for language wey im sabi den suspect go sign say n aim talk am. The pesin wey interprete go sign, name, address, im work and phone number on the statement;

QUESTION: Wetin go happen if suspect no keep im bail conditions? – Section 165 & 175

- a. Wen pesin wey dem grant bail no come Court or Police station, the surety will pay the money wey dey ontop the bail bond and dem go arrest suspect again.

QUESTION: Wetin go happen where pesin no fit bring surety wey dem need come? – Section 187 & 188

- a. The pesin fit hire the service of people wey dem dey call professional bonds-men. This na companies wey government don give licence to dey work as sureties.

TRIAL:

QUESTION: Who be defendant?

- a. Any pesin wey dem don carry go Court, e don become defendant, e no be suspect again.

QUESTION: How dem dey take start Crimina mata for Court? – Section 348

QUESTION: Wetin go happen to suspect wey dem no release on Bail for Police station? – Section 158 & 159

- a. Police and oda people wey suppose keep Law, fit charge suspect to Court wey get power to hear the mata sharp sharp, if dey no fit give suspect bail.

QUESTION: Who fit grant bail? – Section 161, 162 & 163

- a. For offence wey dem fit kill pesin put, na only High Court fit grant bail. If the offence na say pesin go dey for prison all im life, the High Court or Chief Magistrate Court fit grant bail. For oda offence wey no reach these ones, the Magistrate Court fit grant bail.

QUESTION: Woman fit stand as surety for suspect wey dem want grant bail? – Section 167

- a. Yes. Anyone weda man or woman wey meet all the conditions fit stand as surety.

Step 7: Any pesin wey dem arrest for offence wey never reach make dem kill am, dem suppose carry go Court within 24 hours or release am on bail.

Any pesin wey dem arrest for offence wey don reach to kill am, the Divisional Police Officer (DPO) wey dey handle the mata go carry the mata go meet AG wey be numba one oga Lawyer for Niaja within 48 hours make im advice am. If e be say the mata go go Court, na High Court dem go carry am go make delay no dey.

QUESTION: Who fit make make pesin no commit offence? – Section 50-61

- a. All Police pesin fit stop crimina mata make e no happen

QUESTION: Who fit stop offence make e no happen? - Section 50-61

- a. All Police fit stop crimina mata make e no happen and make dem no spoil government property.

QUESTION: Wetin go happen to pesin wey dem arrest, wey dem no want make dem commit offence? Section 50-61

- a. Any pesin wey dem arrest make im no commit offence, dem suppose carry am go Magistrate Court make im settle the mata.

QUESTION: How dem dey take keep suspect before dem carry am go Court?

- a. Dem fit carry suspect go Magistrate Court wey no get power to try the mata but the pesin wey bring the mata come, go show im good reasons why im want make dem keep suspect for prison. If the Magistrate gree with the reasons, im fit keep the suspect for 14 days. If the 14 days pass and good reasons dey wey dem keep the suspect, the Court fit allow anoda 14 days. If after the 2nd 14 days and dem never carry suspect go Court wey get power to hear the mata (High Court) then, the Magistrate go ask AG, IGP or pesin wey bring suspect come Court make dem talk why dem still dey keep suspect for prison custody.

If the Magistrate gree, then dem fit keep am for another 14 days. If after now, dem never carry am go Court (High Court) the Magistrate go release am make im dey go.

E good to know say, as Magistrate hold suspect for prison custody no mean say e no fit bring application for bail.

BAIL

QUESTION: Which time dem fit release suspect for bail? – Section 19

- a. Wen dem don sabi the true true name and address of pesin wey dem arrest, dem fit release the pesin if im meet the conditions for bail.

QUESTION: Who fit release suspect on bial? – Section 30 &31

- a. Police and people wey suppose keep Law weda im get surety or e no get.