**RIVERS STATE ADMINISTRATION OF CRIMINAL JUSTICE MONITORING COUNCIL’S PROFILE**

The Rivers State Administration of Criminal Justice Monitoring Council (ACJMC) is a creation of The Rivers State Administration of Criminal Justice Law No.7 of 2015 (ACJL). It was inaugurated on the 6th day of August, 2020, by the Chief Judge of Rivers State, Hon. Justice A. I. Iyayi-Lamikanra (Rtd.); in collaboration with FIDA Nigeria (Rivers State Branch) and McArthur Foundation.

**MEMBERSHIP:**  Section 497 (2) of the ACJL constitute the Council as follows:

1. The Chief Judge – Chairman
2. The Attorney-General
3. A Judge of the High Court
4. The Commissioner of Police
5. The Controller of Corrections in the State
6. The head of National Human Rights Commission in the State
7. The Chairman of the State Branch of Nigerian Bar Association
8. The Director of the Legal Aid Council of Nigeria
9. A representative of a Civil Society working on human rights and access to justice or women rights (to be appointed by the Council)
10. The Director of Public Prosecutions.

**FUNCTIONS:** By the provision of Section 480 of the ACJL, Council is responsible for ensuring amongst other things**:**

* The speedy and smooth running of the administration of criminal justice
* The effective and efficient application of ACJL by the relevant agencies
* That criminal matters are speedily dealt with
* That congestion of correctional centres is reduced to the minimum
* That the relationship among the organs charged with the responsibility for administration of justice is cordial and there exists maximum co-operation amongst the organs in the administration of criminal justice in the State.
* The collating, analysing and publishing of information in relation to the administration of criminal justice sector in the State
* Submission of quarterly report to the Chief Judge to keep him informed of developments requiring necessary action towards improved criminal justice delivery and
* Collating Monthly Reports of arrests without warrants by divisional Police Officers and Reports of Monthly Inspection of Police Stations or other places of detention, other than the custodial centre by Magistrates (Sections 33(3) and 34(2) ACJL).

**SECRETARIAT OF THE COUNCIL:** This is headed by the Council Secretary, Ilanye D. Brown, Esq. a Chief Magistrate. The Secretariat is at Block A, Second Floor, High Court Complex, Port-Harcourt. It consists of four departments namely:

* The Administration Department
* The ICT Department
* The Probation and Community Service Department (Currently manned by Officers from the Nigeria Correction Service)
* Accounts Department

**ACHIEVEMENTS:**

1. **ESTABLISHMENT OF A FUNCTIONAL COUNCIL SECRETARIAT (S.481) -** The Chief Judge, **Hon. Justice Simeon Chibuzor Amadi** upon assuming office in 2021, Established a functional and befitting Secretariat for the Council with staff of various cadres.
2. **COMPLIANCE WITH THE PROVISIONS OF THE ACJL –** There is considerable compliance with the provisions of the ACJL, particularly the novel provisions by the various agencies and institutions responsible for criminal justice administration in the State. This is made possible through the training and re-training of officers and staff of these agencies and institutions; eg. The Nigeria Police, EFCC, DSS and other Law Enforcement Agencies and Judiciary.
3. **DECONGESTION OF CUSTODIAL CENTRES –** Through the drive of Council, Port-Harcourt Custodial Centre has witnessed tremendous reduction in the number of awaiting trial inmates in their custody. The Chief Judge has engaged several mechanisms including Gaol Delivery Exercises, Practice Directions and Administrative Circulars and the use of Non-Custodial alternatives by Magistrates in sentencing. Council has also designated some institutions in the State as places for execution of Non-Custodial Sentences.
4. **SYNERGY AMONGST THE AGENCIES AND INSTITUTIONS OF CRIMINAL JUSTICE ADMINISTRATION –** The regular Statutory Council Meetings have been instrumental in fostering synergy amongst these actors. Council enjoys maximum co-operation from all the agencies and institutions in executing its Work Plan.
5. **MONTHLY INSPECTION OF POLICE STATIONS BY MAGISTRATES –** Through the drive of Council, Magistrates carry out this oversight functions over various Police Divisions in the State and Council receives Reports of these inspections from Magistrates every month.
6. **MEDIA ENGAGEMENT –** Council has featured in several Radio and Television Talk Programmes; thereby creating public awareness on the existence and functions of Council and citizens’ rights and obligations as provided for in the ACJL. This is with the support of FIDA Nigeria (Rivers State Branch) in collaboration with McArthur Foundation and other support Agencies like the United States Agency for International Development (USAID) in collaboration with Pallodium and Stakeholder Democracy Network (SDN),

**AWARDS:**

1. **MENTOR STATE –** The Federal Administration of Criminal Justice Monitoring Committee, at its first Annual Conference of ACJL States, held in Abuja on 10th and 11th November, 2021; in recognition of the pace setting strides of the Rivers State Administration of Criminal Justice Monitoring Council conferred a mentorship Status on Council to mentor four States in the South, namely: Cross Rivers State, Bayelsa State, Enugu State and Anambra State. Council in carrying out its duty as a mentor, facilitated the establishment of a standing Monitoring Committee in Bayelsa State; pending the amendment of their ACJL to include Administration of Criminal Justice Monitoring Council or Committee.
2. **BEST PERFORMING ACJMC IN THE FEDERATION –** At the 2nd ACJMC States Annual Conference held in Abuja on 30th November and 1st December, 2022, Council emerged as the best performing ACJMC in the Federation.
3. **AWARD OF EXCELLENCE –** The Council won the 2nd Position at the CENTRE FOR SOCIO-LEGAL STUDIES National Technical Review and Evaluation Conference, on the implementation of the Administration of Criminal Justice Law, held in Abuja on 17th February, 2023.

**PROJECTS:**

1. **RIVERS STATE CRIMINAL JUSTICE MANAGEMENT SYSTEM (RSCJMS) –** This is a Web Application created by the Executive Council Secretary and designed by the ICT Department of Council Secretariat; to ease the challenges and bottlenecks impeding full compliance with the provisions of the ACJL and the smooth administration of criminal justice in the State. It is designed to plug in all the major institutions in the administration of criminal justice, for seamless monitoring and evaluation as well as dissemination of information to the public. Council is currently talking to some support partners for its development.

1. **SEXUAL ASSAULT RESPONSE CENTRE:** This Centre is designed to cater for victims of sexual assaults. Council is currently talking to the Rivers State Government through the Hon. Attorney-General and Ministry of Social Welfare to own it as a State Project.

**LEVEL OF IMPLEMENTATION OF ACJL IN RIVERS STATE/STEPS TAKEN TO KICK START A FUNCTIONAL SECRETARIAT AND CHALLENGES**

The Administration of Criminal Justice Act, 2015 was passed by the Rivers State House of Assembly as the Rivers State Administration of Criminal Justice Law No.7 of 2015. Sections 479 to 480 of the Rivers State Administration of Criminal Justice Law, 2015 established the Rivers State Administration of Criminal Justice Monitoring Council (ACJMC) and provides for Membership of Council and allowances for Council Members, Duties of Council, Council Secretariat and Funding of Council.

On the 6th day of August, 2020, the Rivers State Judiciary headed by Hon. Justice A. I. Iyayi-Lamikanra (Rtd.) in collaboration with FIDA Nigeria (Rivers State Branch) and McArthur Foundation inaugurated the Rivers State Administration of Criminal Justice Monitoring Council and provided an office space for the Council Secretariat. The Council set out to work by developing a Work Plan to guide its activities for the year 2020 and by the help of God and unflinching Co-operation of Council Members, Council was able to achieve the following in the year 2020:

1. Office Space for Council Secretariat
2. Develop Reporting Templates for Council Members and Supervising Magistrates.
3. Regular Monthly Inspection of Police Stations and other Places of Detention in the State by Magistrates.
4. Partial Establishment of Department of Probation and Community Services (Currently manned by officers of Correctional Centres)
5. The use of Non-Custodial alternatives by Magistrates in sentencing.
6. Kick Started the setting up of Sexual Assault Response Centre (SARC) in Rivers State

In the current year, the Chairman of Council and Chief Judge of Rivers State – Hon. Justice S. C. Amadi, poised to ensure that Council achieve greater heights in its responsibilities and ensuring compliance with the provisions of the Rivers State ACJL by the organs charged with the responsibility of administering criminal justice in the State, posted staff of different cadres to Council Secretariat and equipped the Secretariat with a set of Computer and accessories for a functional Secretariat. On the recommendation of Council, the Hon. Chief Judge of Rivers State has directed Registrars, Registry Staff and Magistrates to ensure compliance with the provisions of the Rivers State ACJL particularly Remand Proceedings and filing of Charges in Magistrates’ Court. Council has also constituted five Sub-Committees at their last Meeting held on 14th October, 2021, namely:

1. Investigation and Prosecution
2. Monitoring and Evaluation
3. Decongestion
4. Speedy Trial
5. Media.

The Rivers State Administration of Criminal Justice Monitoring Council has had a total of eight (8) Statutory Meetings since its inauguration and two (2) of the Meetings were hosted by FIDA in Collaboration with MacArthur Foundation. We have a robust Work Plan including regular trainings and evaluations to achieve Council’s goals and objectives and the Chairman of Council is leaving no stone unturned to ensure that Council is captured in the State Budget for the year 2022.

It is safe to say that the Council in Rivers State is creating awareness through its Members on the need to comply with the provisions of the ACJL, particularly the novel provisions. The Police in Rivers State and indeed all stakeholders have been quite supportive in this drive. As a result, there is tremendous compliance in the following areas:

* Establishment of ACJMC (S.479)
* Taking Criminal Proceedings in the absence of the Defendant (SS.359 and 165)
* Private Complaint (SS.88 and 89)
* Plea bargain (S.277)
* Non-Custodial Sentencing (SS.463 – 477)
* Arrests by proxy (S.7)
* Monthly Inspection of Police Stations and other places of detention (S.34(2))

The Council has taken steps to ensure better compliance with remand proceedings and filing of Charges at the Magistrate Courts. The Chief Judge and Chairman of Council is very passionate about decongestion of Correctional Centres in the State as well as Criminal Charges pending in courts and has set up some mechanisms to achieve this goal.

In the course of evaluation and monitoring compliance with the provisions of the ACJL by the various stakeholders charged with the responsibility of administering criminal justice in the State, Council has observed challenges in some of the provisions that impedes efficient compliance as follows:

1. Day to day hearing and 180 days’ criminal trial period (S.110): The requirement for applying to the Chief Judge for extension of time is time wasting. I suggest 12 months.
2. The 25 days’ period provided for remand proceedings (SS.300-303): this period is too short considering the prevalence of crime in the society. It works mischief. I suggest 6 months.
3. Monthly Report of Arrests by Divisional Police Officers to Supervising Magistrates (S.33): Lack of funds to procure passport photographs and finger prints of suspects militate against this provision.
4. Taking Statement of Suspects electronically in the presence of a lawyer or anyone of their choice (S.17): Police Stations are not equipped with electronic devices for this purpose.
5. Quarterly Report of Arrests to the Attorney-General (S.29) etc.

In conclusion, the ACJMC in Rivers State is a work in progress moving on a sure footing and with the help of God and the continued co-operation of all the actors we shall achieve the purpose for which the Council was established.

Thank you.

**Ilanye D. Brown, Esq. (Chief Magistrate)**

Secretary ACJMC Rivers State