

How to guide:

How to improve the treatment
of suspects at police stations:
Introduce a legal advice scheme

What is the J4A ‘How to’ series?

The guide is part of a series of products developed by J4A to communicate lessons learned from projects and pilots, to provide stakeholders with guidance on how to adapt and replicate the initiative in their own context.

Who is this ‘How to’ guide for?

Influencers and decision makers in the justice sector (police, prisons, judiciary and civil society).

Reference tools

Accompanying reference tools are available at www.j4a-nigeria.org or by request from info@j4a-nigeria.org

The problem

- The public have a poor perception of the police.
- The lack of transparency and accountability in the treatment of suspects has affected public confidence.
- Citizens believe that once suspects are taken to police stations they will be mistreated.
- People in custody are often denied legal and human rights.

Background

The lack of transparency and accountability in the treatment of suspects and certain victims in police stations has affected public confidence in the police. The situation is worsened by reports of violations of the legal entitlements and rights of detainees/suspects which are contrary to international human rights standards. The widespread poor public perception of the police has a damaging effect on police and community relations and can undermine the development of a constructive partnership in communities.

What you can do

Introduce a Legal Advice Scheme to ensure suspects and victims have access to free legal advice and support. Improve public confidence, transparency and police accountability in the treatment of suspects and victims in police stations by:

- Offering **free legal advice** through a cadre of local lawyers who are willing to provide pro bono services and regularly visit police stations.
- Ensuring the **protection of legal entitlements and human rights** through the provision of this legal advice.
- Establishing a **state-wide scheme** that covered all police stations.

J4A worked with the NPF to pilot such a scheme in Lagos and this guide provides details of the approach used and lessons learned. The Legal Advice Scheme was piloted at Isokoko police station and was then replicated in a further eleven police stations in Lagos State.

What you can achieve

- Faster resolution of cases.
- No more 'missing' or 'stalled' cases.
- More affordable justice for court users.
- Better working and co-ordination across the justice sector.
- Improved court user satisfaction.
- More accountability.



Legal advice scheme: steps for implementation

1. **Identify possible implementing partners** and groups interested in the initiative. *See next page for examples of implementing partners in Lagos State.*
2. **Form a steering group** with the identified partners. Develop a ToR that clearly defines and guides the implementation of the scheme. *An example ToR used in the Lagos pilot is available for reference.*
3. **Get police authorities' buy-in** by providing details of the possible benefits of the scheme, and consider citing evidence from the Lagos scheme as a real-life example. Get them to identify one or two police stations in which to pilot the scheme initially.
4. Using the networks of your partners, **identify the law firms and individual lawyers** who would be interested in participating and brief them on the scheme and the roles/responsibilities of lawyers. *Example ToR for Law Firms and Lawyers are available for reference.*
5. **Nominate a co-ordinator** (preferably a registered CSO/NGO) for each police station. The Co-ordinator's role is to create and manage the duty rota for lawyers, report to the Steering Committee, and schedule regular debrief meetings for lawyers – as described in the following steps. The coordinator also liaises with the station DPO on the scheme and arranges for lawyers to have ID cards to allow them to gain access to stations.
6. **Draw up a duty rota/schedule for each law firm/ lawyer** involved in the scheme so they know the dates of their visits. At the onset of the project, it is suggested that lawyers visit the stations daily and as the scheme matures, reduce visits two to three times a week. The duty rota should also include the contact details of the firm so that 'on call' services can be provided if the need arises. *A duty rota template is available for reference.*
7. The **lawyer** who visits the police station should complete a '**Monitoring Form**'. The forms should be collated on a weekly basis and forwarded to the scheme coordinator. The **co-ordinator** completes a '**Monitoring Analysis Form**' to track progress in the station over a period of time. *Templates of forms are available for reference.*
8. **Schedule monthly/bi-monthly meetings** for lawyers to debrief on their experiences, developments and challenges. The meetings should be hosted by the coordinator and provide additional information that may not be captured in the daily reports. The Steering Group should also meet once a month to discuss feedback and developments of the scheme.

Cost implications

1. **Meetings** with the lawyers and the Steering Group.
2. **Production of the monitoring forms and duty rota schedules** for lawyers.
3. **Publicity costs** such as printing posters, media costs and community awareness meeting.



Implementing partners

As noted in steps 1 and 2 of implementation, it is important to identify implementing partners and groups interested in the initiative and ensure they fully understand and support the scheme, and also understand what role they need to play. The following is an example of how this was achieved in Lagos.

Partner	Roles
Commissioner of Police	<ul style="list-style-type: none"> • Agrees to implementation of Scheme • Instructs DPOs to cooperate with Scheme • Member of Steering Committee/Recipient of Monitoring Analysis Reports
Officers at the pilot police stations	<ul style="list-style-type: none"> • Provide access to verified lawyers • Ensure actions are taken in light of Monitoring Reports
Legal service providers: <ul style="list-style-type: none"> • The Nigerian Bar Association • Legal Aid Council • Office of the Public Defender • International Federation of Women Lawyers • NGOs that provide pro-bono legal services 	<ul style="list-style-type: none"> • Provide advice on the design and establishment of the scheme • Help to identify lawyers willing to participate in the scheme • Help to promote participation in the scheme • Possible members of Steering Committee
Legal practitioners: <ul style="list-style-type: none"> • Lawyers (law firms and individuals) • Paralegals 	<ul style="list-style-type: none"> • Agree to abide by Terms of Reference which set out role of lawyers in scheme • Attend stations according to duty schedule and on-call rota • Prepare monitoring reports and submit to scheme coordinator for station • Attend de-briefing sessions for lawyers involved in the scheme
Oversight and monitoring bodies: <ul style="list-style-type: none"> • National Human Rights Commission • Civil Society Organisations • Ministry of Justice Directorate for Citizens' Rights 	<ul style="list-style-type: none"> • Provide advice on the design and establishment of the scheme • Possible membership of the Steering Committee • Possible role as Coordinators for individual Police Stations (specifically CSOs)

Lessons learned from the Lagos pilot

1. Determine the **true cost** of the initiative (activities, meetings, and the co-ordinators and lawyers).
2. This is a pro-bono initiative, so it can be a challenge to build a large enough pool of volunteer lawyers. Develop a **strategy for attracting lawyers to participate** by involving from the onset the NBA and CSOs with paralegals – such as FIDA. Give them early briefings on the projects and its possible benefits and how it has been implemented elsewhere (e.g. Lagos).
3. Devise **strategies to maintain interest/commitment of volunteer lawyers**. For example, in Lagos a conference was organised for volunteer lawyers and coordinators involved in the scheme which was used both to thank participants for ongoing efforts, provide guest speakers to update on latest outcomes of scheme and also provide an opportunity for questions and concerns about the scheme's operation to be raised. Participants were also given a certificate to commend them for their participation in the scheme.
4. Develop a **publicity/awareness strategy** to publicise the scheme and its objectives. In Lagos State, a public media launch was held and presentations were made to the service providers (NHRC, NBA, Legal Aid Council, FIDA) and beneficiaries (community members through community based organisations). *Examples of media materials are available for reference.*
5. **Involve the Police Authorities** to periodically monitor the progress of the scheme. This will encourage the police officers to see the scheme as their own, rather than an external initiative. Periodic meetings with the Commissioner of Police are encouraged.
6. **Ensure that all police personnel are privy to the terms of the scheme** and aware of the endorsement and directives from the State Commissioner of Police. This is to avoid situations of some police personnel stating they are not aware of the scheme.

What improvements has the Legal Advice Scheme brought?

1. The scheme has highlighted the commitment of the Nigerian Police Force in **treating detainees in a fair and legally compliant manner and with respect for human rights**. Police officers directly involved in the scheme have stated that this external oversight also supports and protects their own position and actions in relation to detainees.
2. There is now **better co-ordination** amongst the lawyers and the police.
3. The issue of **prolonged detention of suspects beyond the period prescribed by law is changing** since the launch of the scheme.
4. The lawyers' visits helped **identity issues with the detention conditions** at police stations, the need for rehabilitation and basic amenities.
5. The scheme has **inspired spin-off initiatives**. The Alimosho Lawyers Forum organised sensitization programs for the police officers on providing humane treatment for suspects. The Forum's monitoring activities have expanded beyond the designated police station to cover all of the Area M Command.
6. The scheme is an **effective tool to decongest the prisons**. Following the routine visits by the lawyers, the majority of the detainees and suspects are released on bail or discharged, instead of going to prison.

'The constant visit of the lawyers to the station has helped to check us and the way we treat suspects, it should continue so we do not go back to our old ways.'

Police officer, Isokoko Police Station

How can the Legal Advice Scheme be evaluated?

The J4A programme evaluated the Lagos pilot scheme through public perception surveys. Other methods might include gathering data to show impact of free legal advice provided at station level on matters such as length of detention and bail decisions.

Annual public perceptions surveys to measure user satisfaction. Methodology and survey available for reference.

Findings: Public confidence in the police has increased by 16 per cent following the introduction of the scheme at the Isokoko Model Police Station.

‘...the regular visits by the lawyers has put the Police Officers on check to do what is right and comply to the UN international standards of arrest and detention. The scheme has brought a new dimension to our police operations.’

Former DCO, Mushin Police Station



Findings:

Public confidence in the police has increased by **16 per cent** following the introduction of the scheme at the Isokoko Model Police Station.

‘The police have shown remarkable improvements in the treatment of suspects and readiness to grant bail.’

Seth Amaefule, Barrister

A public perception survey conducted 12 months after the pilot commenced showed a **16 per cent** improvement in local citizens’ confidence in the police.

Contact

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