



EBONYI STATE OF NIGERIA

LAW NO. 002 OF 2018

**EBONYI STATE
VIOLENCE AGAINST PERSONS
(PROHIBITION) LAW, 2018.**

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EBONYI STATE OF NIGERIA
LAW NO. 002 OF 2018

PRELIMINARY PROVISIONS

A Law Co prohibit violence in private and public life, eliminate all forms of violence against persons, provide maximum protection and effective remedies for victims and punishment of offenders and for other related matters thereto.

Title

BEITENACTED by the House of Assembly of Ebonyi State of Nigeria as follows:

Enactment

SECTION 1

The Law may be cited as Ebonyi State Violence Against Persons (Prohibition) Law, NO.002 of 2018.

Citation

SECTION 2

The Law shall be deemed to have come into effect on Tuesday, 23rd January, 2018.

Commencement

SECTION 3

In this Law:

Interpretation

"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 or institutions providing shelter, homes, counselling, 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;

"Government Agency or Agencies" means or include Ministry of Justice, Ministry of Health, Ministry of Women Affairs and Social Development, office of Her Excellency the Wife of the Governor of Ebonyi State and other Security Services in Ebonyi State;

"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-

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

"Court" means High Court:

"Danger to Property" means the willful destruction or causing of mischief to any property belonging to a person or in, which a person has a vested interest:

"Danger Weapon" means any instrument or machine directed toward a person with the intention of inflicting bodily harm on such person and includes a gun, knife, stick, whip or other household appliance capable of inflicting bodily harm on a person;

"Domestic Relationship" means a relationship between any persons and a perpetrator of violence constituted in any of the following ways-

- (a) they are or were married to each other, including marriages according to any Law, Custom or Religion;
- (b) 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;
- (c) 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;
- (d) they are family members related by consanguinity, affinity or adoption;
- (e) they are or were in an engagement, dating or customary relationship, including actual or perceived romantic, intimate or sexual relationship of any duration or

- (f) 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;

"Economic Abuse" means

- (a) forced financial dependence;
- (b) denial of inheritance or succession rights
- (c) the unreasonable deprivation of economic or financial resources to which any person is entitled or which any person requires out of necessity, including-
 - (i) household necessities,
 - (ii) mortgage bond repayments, or
 - (iii) payment of rent in respect of a shared residence; or
- (d) 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-

- (a) repeated insult,
- (b) ridicule., or name calling;
- (c) the repeated threats to cause emotional pain; or
- (d) 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;

"Enforced Isolation from Family and Friends"

includes 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

- (a) stalking;
- (b) repeatedly making telephone calls or inducing another person to make telephone calls to a person, whether or not conversation ensues; and

- (c) 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” *mesas* all traditional behaviour, attitude or practices, which negatively affect the fundamental rights of women, girls, or any person and includes harmful widowhood practices, denial of inheritance or succession rights, female genital mutilation or female circumcision, forced marriage and forced isolation from family and friends;

“Incest” means an indecent act or any act which causes penetration with a person who is, to his or her knowledge, Ins or her daughter or son, granddaughter or son, sister or brother, mother or father, niece or nephew, aunt/uncle, grandmother or granduncle;

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

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

“Perpetrator” means any person who has committed or allegedly committed an act of violence as defined under this Law:

“Persons” in this Law is defined in the Interpretation Act under section 18, Cap, 192, Laws of the Federation of Nigeria, 2004;

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

“Political Violence” means any act or attempted act of violence perpetrated in the course of political activities, such as elections, and includes any of the following acts-

- (a) thuggery;
- (b) mugging
- (c) use of force to disrupt meetings; or
- (d) the use of dangerous weapons that cause bodily harm or injury;

“Protection Officer” means an officer appointed under section 42 of this Law in relation to an for the purpose of this Law;

“Protection Order” means an official legal document, signed by a Judge that restrains an individual or State actors from further abusive behaviour towards a victim;

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

“Sexual Assault” 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 services 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 and 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, as defined in this Law or any other enactment;
- (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, as defined in this Law or any other enactment;
- (c) acts of deprivation, withholding, replacing or short-charging of entitlements, privileges, rights, benefits, examination or test marks or scores, and any other form of disposition capable

of coercing any person to submit to sexual intercourse for the purpose of receiving reprieve thereto; or

- (d) any other action or inaction construed as sexual intimidation or harassment under any other enactment in force in Nigeria.

"Spouse" means husband or wife as recognized under the Matrimonial Causes Act, Islamic and Customary Law;

"Spousal Battery" the intentional and unlawful use of force or violence upon a person, including the unlawful touching, heating or striking of another person against his or her will with the intention of causing bodily harm to that person;

"Stalking" means repeatedly

- (a) 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
- (b) following, pursuing or accosting any person in a manner which includes fear or anxiety;

"State Actor" means group of persons; structured or organized institutions and agencies;

"Substance Attack" means the exposure of any persons to any form of chemical, biological or any other harmful liquid with the intention to cause grievous bodily harm, which includes acid attack, hot water, or 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” -

- (a) means any person or persons, who, individually or collectively, have suffered harm, including-
 - (i) physical or mental injury,
 - (ii) emotional suffering
 - (iii) economic loss; or
 - (iv) substantial impairment of their fundamental rights, through acts or omissions that are in violation of the Act or the criminal laws of the country; and
- (b) includes the immediate family or dependents of the direct victim and other person who has suffered harm in intervening to assist victims in distress;

“Violence” 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 in the Private Sphere” means any act or attempted act perpetrated by a member of the family, relative, neighbor or member of a community, which

causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm;

“Violence in the Public Sphere” means any act or attempted act perpetrated by the State or non-State actors before, during and after elections, in conflict or war situations, which threatens peace, security and well-being of an} person or the nation as a whole;

“Violence Perpetrated by Nan-State Actors” includes -

- (a) wrongful arrest and detention;
- (b) assault;
- (c) use of force without lawful authority;
- (d) demolition of property without due processes;

“Vulnerable Groups” 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 I OFFENCES

SECTION 4

1. A person commits the offence of rape if-
 - (a) he or she intentionally penetrates the vagina, anus or mouth of another person with any other part of his or her body or anything else;

Definition of Rape

- (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 the use of any substance or additive capable of taking away the will of such person.
2. A person convicted of an offence under subsection (1) of this section is liable to imprisonment for the except
- (a) where the offender is less than 14 years of age, the offender is liable to a maximum of 14 years imprisonment;
 - (b) in all other cases, to a minimum of 12 years imprisonment without an option of fine; or
 - (c) in the case of rape by a group of persons, the offenders are liable jointly to a minimum of 20 years imprisonment for each person of the group without an option of fine or maximum of life imprisonment.
3. A person who attempts to commit the act of rape provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 14 years without an option of fine.
4. A person who incites, aids, abets or counsels another person to commit the act of rape provided

for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 14 years without an option of fine.

5. A person who receives or assists another who, to his knowledge commits an offence under subsection (1) of this section, is an accessory after the fact and is liable on conviction to a term of imprisonment of 14 years without an option of fine.
6. The Court shall also award appropriate compensation to the victim as it may deem fit in the circumstance.
7. A register for convicted sexual offenders shall be maintained in the Ministry of Women Affairs and Social Development and accessible to the public.

SECTION 5

- A(i) A 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 a term of imprisonment of 5 years or a fine not exceeding ₦100,000.00 and not less than ₦50,000.00 or both;

*Inflicting Physical
injury on a Person*

- (ii) A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on

conviction, to a term of imprisonment of 3 years or to a fine not exceeding N200,000.00 and not less than N100,000.00 or both.

(iii) A person who incites, aids, abets or counsels another person to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 3 years or to a fine not exceeding ££200,000.00 and not less than ^100,000.00 or both.

(iv) A person who receives or assists another who, to his knowledge commits an offence under subsection (1) of this section, is an accessory after the fact and is liable on conviction to a term of imprisonment of 3 years or to a fine not exceeding N2,000,000.00 and not less than N100,000.00 or both.

(v) The Court may also award appropriate compensation to the victim as it *may* deem fit in the circumstance.

B(i) Any individual who gives any information under this law which he knows or believes to be false, to any person employed in the public service with the intention of causing such person;

(a) to do or omit to do anything which such person ought not to do or ought not to omit to do. if the true facts concerning the information given were known to such person; or

- (b) to exercise or use his lawful powers as a person employed in the public service to the injury or annoyance of any other person is guilty of an offence are liable to imprisonment for 1 year or a fine not exceeding N100,000.00 or both.
- (ii) A prosecution for an offence under this section shall not be instituted without the consent of a superior Police Officer.

SECTION 6

A person who coerces another to engage in any act to the *Coercion* detriment of that other person's physical or psychological wellbeing, commits an offence and is liable on conviction to a term of imprisonment of 3 years.

Coercion

SECTION 7

1. A person who willfully or knowingly places a person in fear of physical injury commits an Person in Fear of Physical Injury offence and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding N200,000.00 and not less than 100,000.00 or both
2. A person who attempts to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine of N100,000.00 or both

willfully Placing a person in fear of physical injury

3. A person who aids, abets., or counsels another person to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not exceeding ~~N~~200,000.00 and not less than 100,000.00 or both.
4. A person who receives or assists another who has committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not exceeding 1 year or to a fine not exceeding ~~N~~200,000.00 and not less than ~~N~~100,000.00 or both.

SECTION 8

1. A 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 a term of imprisonment of 2 years or to a fine not exceeding N500,000.00 and not less than N200,000.00 or both

Offensive Conduct

2. A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not exceeding ~~N~~300,000.00 and not less than N100,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not exceeding ~~N~~300,000.00 and not less than ~~N~~100,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment of 3 years or to a fine not less than ~~N~~200,000.00 and not exceeding ~~N~~500,000.00 or both.

SECTION 9

1. The circumcision or genital mutilation of a woman or girl child is hereby absolutely prohibited.
2. A person who performs female circumcision or genital mutilation or engages another to carry out

*Prohibition of Female
Circumcision or
Genital Mutilation*

such circumcision or mutilation commits an offence and is liable on conviction to a term of imprisonment of 4 years or to a fine of ₦200,000.00 or both,

3. A person who attempts to commit the offence provided for in subsection (2) of this section commits an offence and is liable on conviction to a term of imprisonment of 2 years or a fine of ₦100,000.00 or both.
4. A person who incites, aides, abets or counsels another person to commit the offence provided for in subsection (2) of this section commits an offence and is liable on conviction to a term of imprisonment of 2 years or to a fine of ₦100,000.00 or both.

SECTION 10

1. There is hereby established for Ebonyi State a Committee to be known as Female Genital Mutilation Monitoring Committee (FGMMC).
2. The Committee shall be established in all Health Facilities within the State.
3. The Committee shall be established at the State, Local Government Area and Community levels for the purpose of monitoring, keeping records and reporting of all cases of female circumcision or genital mutilation in all health facilities.

*Establishment of a
Monitoring Committee*

SECTION 11

1. The members of the Committee on Monitoring of Female Genital Mutilation shall be appointed by the Governor of the State. *Membership of the Committee*
2. The State Committee on Monitoring of Female Genital Mutilation shall comprise the following:-
 - (a) an Official from the Office of Her Excellency, the Wife of the Governor of Ebonyi State;
 - (b) an Officer from Ministry of Justice;
 - (c) an Officer from Ministry of Health;
 - (d) an Officer from Ministry of Women Affairs and Social Development.
3. The Local Government Area Committee on Monitoring of Female Genital Mutilation shall comprise the following: -
 - (a) the Chairperson of the Local Government Area;
 - (b) the MOO Health;
 - (c) HOD Social Welfare;
 - (d) Women Development Officer of the Local Government Area.
4. The Community Committee on Monitoring of Female, Genital Mutilation shall comprise the

following:-

- (a) the Traditional Ruler of the Community;
- (b) the Town Union President;
- (c) the Women Leader of the Community;
- (d) the Youth Leader of the Community;
- (e) a Representative of Christian Association of Nigeria (CAN);
- (f) a Representative of Civil Society Groups;
- (g) a Representative of Primary Health Centre.

SECTION 12

The State, Local Government and Community Female Genital Mutilation Monitoring Committee shall have powers:-

*Powers of the
Committee*

1. To collect data on Female circumcision and/or Genital Mutilation and related harmful practices and other relevant data from all formal and informal health establishments in Ebonyi State.
2. To monitor, keep records and report issues of Female Circumcision or Female Genital Mutilation to the Ministry of Health or Ministry of Women Affairs and Social Development on monthly basis.
3. To report offenders of this Law to the relevant

Government Agency/Agencies for proper sanctions; and

4. To perform any such functions which in the opinion of the Committee is reasonably proper for the realization of the goals and objectives of the Committees.

SECTION 13

Any person who, with intent to defraud or conceal an offence or frustrate the investigation and prosecution of offenders under this Law or under any other enactment:

*Frustrating
Investigation*

- (a) destroys, alters, mutilates, or falsifies any book or document, dress or clothing or anything which could serve as evidence or exhibits,
- (b) omits, or is privy to omitting, any material particular from any such document, book, dress or clothing, commits a felony and is liable on conviction to a term of imprisonment not less than 2 years and not exceeding 3 years or to a fine not less than ₦200,000.00 and not exceeding ₦500,000.00 or both.

SECTION 14

A person who willfully makes false statement, whether oral or documentary, in any judicial proceeding under this Law or with the aim of initiating investigation or criminal proceedings under this Law against the will of

*Willfully Making False
Statement*

woman commits an offence under this Law and is liable on conviction to a fine of ₦200,000.00 or a term of imprisonment not exceeding 12 months.

SECTION 15

1. A person who forcefully evicts his or her spouse from his or her home or refuses him or her access commits an offence and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding ₦300,000.00 or both. *Forceful Ejection from home*
2. A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not exceeding 1 year or to a fine not exceeding ₦200,000.00 or both.
3. A person who incites, aides, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not exceeding 1 year or to a fine not exceeding ₦200,000.00 or both.
4. A person who receives or assists another who committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not exceeding 1 year or to a fine not exceeding ₦200,000.00 or both.

SECTION 16

1. A person who deprives another of his or her liberty, except pursuant to a court order commits an offence and is liable on conviction to a term of imprisonment of 2 years or to a fine not less than ₦100,000.00 and not exceeding ₦500,000.00 or both. *Depriving a Person of his or her Liberty*
2. A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ₦100,000.00 and not exceeding ₦200,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit an offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 2 years or to a fine not less than ₦100,000.00 and not exceeding ₦300,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ₦500,000.00 and not exceeding ₦100,000.00 or both.

SECTION 17

1. A person who causes mischief, destruction or damage to property of another likely to cause distress or annoyance to the victim, commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~300,000.00 or both. *Damage of Property with Intent to Cause Distress*
2. A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.
4. A person who receives or assists another who to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than

~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.

SECTION 18

1. A person who causes forced financial dependence or economic abuse of another commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ~~₦~~300,000.00 and not exceeding ~~₦~~500,000.00 or both. *Forced Financial Dependence or Economic Abuse*
2. A person who attempts to commit the offence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.000.
3. A person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an

accessory after the fact and is liable on conviction to a term of imprisonment of 6 months or to a fine not less than ~~N~~50,000.00 and not exceeding ~~N~~100,000.00 or both.

SECTION 19

1. A person who forcefully isolates or separates another from family and friends commits an offence and is liable on conviction to a term of imprisonment of 6 months or to a fine of ~~N~~100,000.00 or both. *Forced Isolation from Family and Friends*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 3 months or to a fine of ~~N~~100,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 3 months or to a fine of ~~N~~100,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an

accessory after the fact and is liable on conviction to a term of imprisonment of 3 months or to a fine of ₦100,000.00 or both.

SECTION 20

1. A person who causes emotional, verbal and psychological abuse on another commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ₦100,000.00 and not exceeding ₦200,000.00 or both. *Emotional, Verbal and psychological abuse*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 6 months or to a fine not less than ₦50,000.00 and not exceeding ₦100,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 6 months or to a fine not less than ₦50,000.00 and not exceeding ₦100,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of

imprisonment of 6 months or to a fine not less than ~~₦~~50,000.00 and not exceeding ~~₦~~100,000.00 or both.

SECTION 21

1. A person who subjects a widow to harmful traditional practices commits an offence and is liable on conviction to a term of Imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~500,000.00.
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 6 months and not exceeding 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.000 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 6 months and not exceeding 1 year or to a fine of not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory

*Harmful Widowhood
Practices*

after the fact and is liable on conviction to a term of imprisonment of 6 months or to a fine not less than ₦50,000.00 and not exceeding ₦100,000.00 or both.

SECTION 22

1. A person who abandons his or her children or aged parents without any means of substance commits an offence and is liable on conviction to a term of imprisonment of 3 years or to a fine not less than ₦300,000.00 and not exceeding ₦500,000.00 or both. *Abandonment of Children and or Immediate Aged Parents without Substance*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 2 years or to a fine not less than ₦100,000.00 and not exceeding ₦200,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 2 years or to a fine of not less than ₦100,000.00 and not exceeding ₦200,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge committed the offence provided for in subsection (1) of this section is an accessory to a term of imprisonment of 1 year or to a fine of not

less than ~~₦~~50,000.00 and not exceeding
~~₦~~100,000.00 or both.

SECTION 23

1. A person who stalks another commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ~~₦~~200,000.00 and not exceeding ~~₦~~500,000.00 or both. *Stalking*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 6 months and not exceeding 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 6 months and not exceeding 1 year or to a fine not less than ~~₦~~100,000.00 and not exceeding ~~₦~~200,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory

after the fact and is liable on conviction to a term of imprisonment not less 6 months and not exceeding 1 year or to a fine not less than ₦50,000.00 and not exceeding ₦100,000.00 or both.

SECTION 24

1. A person who intimidates another commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ₦100,000.00 and not exceeding ₦200,000.00 or both. *Intimidation*
2. A person who attempts to commit the act of violence provided for in subsection (I) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 6 months and not exceeding 1 year or to a fine not less than ₦ 00,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 6 months or to fine not less than ₦50,000.00 and not exceeding ₦100,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence

provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less 6 months and not exceeding 1 year or to a fine not less than ₦50,000.00 and not exceeding ₦100,000.00 or both.

SECTION 25

1. A person who batters his or her spouse *Special Battery* commits an offence and is liable on conviction to a term of imprisonment of 3 years or to a fine of ₦200,000.00 or both.
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to a fine of ₦100,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 1 year or to fine of ₦200,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment of 1 year or to a fine of ₦200,000.00 or both.

SECTION 26

1. A person who carries out harmful traditional practices on another commits an offence and is liable on conviction to a term of imprisonment not less than 3 years and not exceeding 5 years or to a fine not less than ~~N~~300,000.00 not exceeding ~~N~~500,000.00 or both. *Harmful Traditional Practices*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 2 years or to a fine not less than ~~N~~200,000.00 and not exceeding ~~N~~300,000.00 or both.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence, as provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ~~N~~200,000.00 and not exceeding ~~N~~300,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than

₦100,000.00 and not exceeding ₦200,000.00 or both.

SECTION 27

1. A person who uses chemical, biological or any other harmful liquid on another commits an offence and is liable on conviction to a term of imprisonment without an option of fine. *Attack with Harmful Substance*
2. A person who attempts to commit the act of violence described in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 10 years and not exceeding 25 years without an option of fine.
3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section, commits an offence and is liable on conviction to a term of imprisonment of 25 years without an option of fine.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment of 25 years without the option of fine.

SECTION 28

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 person with the intention of stupefying or overpowering that person so as to enable any person to engage in a sexual activity with that person. *Administering a Substance with Intent*
2. A person who commits an offence under this section is, in addition to any other offence under this Law, liable on conviction to a term of imprisonment of 10 years or a fine of ₦500,000.00 or both.

SECTION 29

1. A person who commits political violence as defined under this Law relating to political violence commits an offence and is liable on conviction to a term of imprisonment of 4 years or to a fine of ₦500,000.00 or both. *Political Violence*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ₦200,000.00 and not exceeding ₦300,000.00 or both.

3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section, commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding of 2 years or to a fine not less than ₦200,000.00 and not exceeding ₦300,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding 2 years or to a fine not less than ₦100,000.00 and not exceeding ₦200,000.00 or both.

SECTION 30

1. A state actor who commits political violence commits an offence and is liable on conviction to a term of imprisonment of 4 years or to a fine of ₦1,000,000.00 or both. *Violence by State Actors*
2. A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment of 3 years or to a fine of ₦700,000.00 or both.

3. A person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this section, commits an offence and is liable on conviction to a term of imprisonment not less than 1 year and not exceeding of 2 years or to a fine of ₦500,000.00 or both.
4. A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment of 1 year or to a fine not less than ₦200,000.00 and not exceeding ₦300,000.00 or both.
5. The State is liable for the offence committed by its agents and the Court shall award appropriate compensation commensurate with the extent and amount of damages.

SECTION 31

1. A person who knowingly and willfully have carnal Incest Schedule knowledge of another within the prohibited degrees of consanguinity and affinity contained in the Schedule to this Law, commits incest and is liable on conviction to a minimum term of 10 years imprisonment without an option of fine. *Incest Schedule*

SECTION 32

1. A 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". *Indecent Exposure*
2. A 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 who commits an offence under this section is liable upon conviction to a term of imprisonment of 1 year or to a fine ₦500,000.00 or both.

PART II JURISDICTION OF THE COURT

SECTION 33

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

SECTION 34

1. An application for a protection order may be made before the High Court following a complaint of violence by the complainant and such order, if granted, shall be effective throughout the Ebonyi *Application Protection Order*

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. In 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 or she 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 counsel or health service provider, social worker or teacher who has interest in the well-being of the complainant.

Provided that the application shall 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 and supporting affidavit by persons who have

knowledge of the matter concerned may accompany the application.

6. The application and affidavit shall be filed in Court.

SECTION 35

1. The Court shall as soon as is reasonably possible, consider an application submitted to it under section 33 of this Law 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. *Consideration of Application*
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 shall be served on the respondent in the prescribed manner, and must call on 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 this section of this Law and the record of any evidence taken under 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 under 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. An interim protection order shall be served on the respondent in the prescribed manner and shall call on the respondent to show cause of the return date, specified in the order why a protection order, should not be issued.
7. 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.

SECTION 36

1. If the respondent does not appear on a return date contemplated in section 36 (3) or (5) of this Law, and if the Court is satisfied that:-

Issuing of Protection Order

 - (a) proper service has been effected on the respondent, and

- (b) the application contains a 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 consider:-
 - (a) any evidence previously received under section 36 (1) of this Law; and
 - (b) 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, in the prescribed manner,, cause - the original of such order to be served on the respondent; and a certified copy of such order, and the original warrant of arrest contemplated in section 36(1)(a), to be served on the complainant.
6. The Registrar of the Court shall, in the prescribed manner, forward certified copies of any protection order and of the warrant of arrest contemplated in section 36(1) (a) to the police station of the complainant's choice.
7. Subject to the provisions of section 37(7) of this Law, a protection order issued under 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.

SECTION 37

1. The Court may, by means of a protection referred to in Section 31 or 32 of this Law prohibit the respondent from - *Court's Powers in Respect of Protection Order*
- (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 interest 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 or her 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 condition, which it deems reasonably necessary to protect and provide for the safety, health or well-being of the complainant, including an order-
 - (a) to size any arm or dangerous weapon in the possession or under the control of the respondent:
 - (b) that a police officer shall accompany the complainant to a specified place to assist with arrangements regarding the collection of personal property;
 - (c) directing the respondent to secure alternative accommodation for the complainant
 - (d) order a temporal relocation to any safe place as may be deem fit in the interest of the complainant; or
 - (e) approve a mediation channel upon submission *by* the complainant.
3. In ordering a prohibition under 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 direction 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.

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;
 - (b) or order contact with such child, or on such conditions as it may consider appropriate.
6. 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.
7. If the Court is of the opinion that any provision of a protection order deals with a matter that should, in the interests of justice, be dealt with further under any other relevant law, including the Matrimonial Causes Act, Cap. MI Laws of the Federation, 2004, Child's Rights Law, No 003, 2010, the Court shall 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 under such Law.

SECTION 38

1. A Police officer, at the scene of an incident of violence or so soon thereafter as reasonably possible or to whom a report of violence has been made, shall have the duty of- *Powers of the Police*
- (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 or she has the right to lodge a criminal complaint in addition to any remedy provided under this Law; and
 - (f) accompanying the victim's and his or her residence to collect personal belongings.

2. A police officer may, without any order from the Court or a warrant of arrest, arrest any person whom -
 - (a) he or she suspects upon reasonable grounds to have committed any of the offences under Part 1 of this Law; and
 - (b) a complaint has been made for having committed any of the offences under Part 1 of this Law.
3. A police officer in carrying out his or her duties under this Law shall have the power to-
 - (a) 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) remove or supervise the removal of any dangerous weapon used in order to commit an act of violence as contemplated in this Law;
 - (c) collect and store fingerprints including DNA of accused and convicted offenders; and
 - (d) perform any other act considered necessary in order to ensure the safety and well-being of the complainant.

SECTION 39

1. Wherever a Court issues a protection order, the Court shall make an order authorizing the issues of warrant for the arrest of the respondent, in the prescribed form; and *Warrant of Arrest Upon Issuing of Protection Order*
 - (a) suspending the execution of such warrant subject to compliance with any prohibition, condition, obligation or order imposed under section 34 of this Law.
2. The warrant referred to in subsection (1) (a) of this section 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 or her protection and that the existing warrant of arrest has been-
 - (a) executed or cancelled.
 - (b) lost or destroyed.
4. A complainant may hand the warrant of arrest together with an affidavit in the prescribed form, where 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 (5), 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 the respondent for allegedly committing the offence referred to in Part 1 of this Law.
6. If the police officer concerned is of the opinion that there are insufficient grounds for arresting the respondent under subsection (5), he or she shall 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 34(1); and
 - (c) contains a certificate signed by the police officer concerned to the effect that he or she handed the original notice to the respondent and that he or she explained the import thereof to the respondent.
7. The police officer shall 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 a prima facie proof that the original 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 the-
 - (a) risk to the safety, health or well-being of the complainant;
 - (b) seriousness of the conduct comprising an alleged breach of the protection order; and
 - (c) length of time since the alleged breach occurred.
9. Whenever a warrant of arrest is handed to a police officer under subsection (4) (a) of, this section, the police officer shall inform the complainant of his or her right to simultaneously lay a criminal charge against the respondent, if applicable and explain to the complainant how to lay such a charge.

SECTION 40

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 33 in the prescribed manner. *Variation or Setting Aside of Protection Order*
2. If the Court is satisfied that a 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 proscribed to the complainant and the respondent if the protection order is varied or set aside as contemplated in subsection (I) of this section.

SECTION 41

Where a protection order has been made, any of the *Discharge* following persons may apply to discharge, have it discharge-

1. If the application for the order was made by a commissioner in respect of any dependent person by-
 - (a) the commissioner;
 - (b) the person who brought the application; or
 - (c) the respondent to that application.
2. If the application for the order was made by a commissioner in any other case by virtue of section 31-

- (a) the commissioner,
- (b) the person who applicant for the order, or
- (c) the respondent to that application;

3. 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.

SECTION 42

1. A respondent who contravened an interim protection order or a 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 person from entering or remaining commits an offence and is liable, on summary conviction, to a fine of ~~₦~~300.000.00 or to a term of imprisonment of 6 months or both. *Offences Relating to Protection Order*
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. A person who, in an affidavit referred to in this section, willfully makes a false statement in a material respect commits an offence and is liable on conviction to a fine of not exceeding ~~N~~200,000.00 or, at the discretion of the Court, to a term of imprisonment not exceeding 6 months.

SECTION 43

The affidavit, application and forms of Protection Order referred to in this Part of the Law shall be in accordance with the Schedule to this Law.

*Application and Forms
of Protection Order
Schedule*

SECTION 44

1. In addition to the rights guaranteed under Chapter IV of the Constitution of the Federal Republic of Nigeria, 1999, or any other international human rights instrument to which Nigeria is a part) every victim of violence, as defined in section 4 of this Law, is entitled to the following rights - where the facilities exist.

Right of Victims

- (a) to receive the necessary materials, comprehensive medical, psychological, social and legal assistance through governmental agencies providing such assistance;
- (b) to be informed of the availability of legal, health and social services and other relevant assistance and be readily afforded access to them;

- (c) to rehabilitate and re-integrate programme of the State to enable victims to acquire, where applicable and necessary, pre-requisite skills in any vacation of the victim's choice and also in necessary formal education or access to micro credit facilities;
 - (d) 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: and
 - (e) 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.
2. Any head of institution who violates the provisions of this subsection is guilty of an offence and is liable on conviction to term of imprisonment for 6 months or a fine of ~~₦~~200,000.00 or both.
3. No person may be present during any proceedings under this Law except-
- (a) officers of the Court;
 - (b) the parties to the proceeding;

- (c) any person bringing an application on behalf of the complainant under section 31;
 - (d) any legal practitioner representing any party to the proceedings;
 - (e) accredited service provider;
 - (f) witness;
 - (g) not more than 3 persons for the purpose of providing support to the complainant;
 - (h) not more than 3 persons for the purpose of providing support to the respondent; and
 - (i) any other person whom the Court permits to be present provided that the court may, if it is satisfied that it is in the interest of justice, exclude any person from attending any part of the proceedings.
4. Nothing in this section limits any other power of the Court to hear proceedings in camera or to exclude any person from attending such proceedings.

PART III

SERVICE PROVIDERS

SECTION 45

1. No person shall publish in any manner any information which might, directly or indirectly, reveal the identity of any party to the proceedings. *Prohibition of Publication of Certain Information*
2. The Court, if it is satisfied that it is in the interest of justice, may direct that any further information relating to proceedings held under this Law shall not be published provided that no direction under this subsection applies in respect of the publication of a bonafide 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.
3. A person who contravenes the provisions of this subsection commits an offence and is liable on offence of conviction to a term of imprisonment of 1 year or to a fine of ₦200,000.00 or both.

SECTION 46

1. Subject to such rules as may be made, any voluntary association registered under the Companies and Allied Matters Act 1990 by the Corporate Affairs Commission or any other Law for the time being in force with the *Registration and Powers of Services Providers*

objective of protecting the rights and interests 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.

- (a) The appropriate Government Ministry shall keep a register of all accredited service providers and circulate same to all police stations, protection officers and the Courts; and
 - (b) Draw up guidelines for the operation of the accredited service providers.
2. A service provider so 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 to the Magistrates, and the Protection Officer having jurisdiction in the area where the violence took place;
 - (b) ensure that the aggrieved person is provided shelter home, if he or 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 act took place.
3. Government to establish shelter homes with adequate security under the Ministry of Women Affairs to provide shelter to aggrieved persons.

4. No suit, prosecution or other legal proceedings 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.

SECTION 47

1. The appropriate Government Ministry shall *Protection Officers* appoint such number of protection officers in each Local Government Area as it may consider necessary, to assist this Law to co-ordinate the activities of the police and the accredited service providers in his or her Local Government Area, to ensure that the victims or survivors 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 complainant so requires;
 - (c) are able to collect their belongings or properties from a shared household or her residence, if complainant 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 an employer or a debtor of the respondent operates any account, to directly pay to the complainant or deposit with Court a portion order on the respondent, and the enforcement of any order that may have been made by the court of this Law.

SECTION 48

The body vested with the enforcement 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, a copy of which shall be deposited with the State Planning Commission.

*Coordinator for
prevention of Domestic
Violence*

SECTION 49

A court may declare a person who has been convicted of sexual offence a dangerous sexual offender if such person has: *Dangerous Sexual Offender*

1. More than one conviction for a sexual offence;
2. Been convicted of a sexual offence which was accompanied; or
3. Been convicted of a sexual offence against a child.

PART IV REGULATORY BODY

SECTION 50

The State Ministry of Justice is mandated to administer the provision of this Law and collaborate with the relevant stakeholders including faith based organizations. *Regulatory Body*

PART V CONSEQUENTIAL AMENDMENT

SECTION 51

1. Any offence committed or proceedings instituted before the commencement of this Law under the provisions of the- *General Savings and Appeal*

- (a) Criminal Code. Cap LFN 2004
 - (b) Criminal Procedure Code. Cap. LFN, 2004
 - (c) any other law or regulation relating to any act of violence defined by this Law shall as the case may require be enforced or continue to be enforced by the provisions of this Law.
2. Any provision of the Law shall supersede any other provision on similar offences in the Criminal Code, and Criminal Procedure Cede.

SECTION 52

This Law applies *only* to Ebonyi State.

Application

SECTION 53

The purpose of this Law is to prohibit violence in private and public life, eliminate all forms of violence against persons, provide maximum protection and effective remedies for victims and punishment of offenders and for other related matters thereto.

Object and Purpose

SCHEDULED 1**SECTIONS 28 AND 40****AFFIDAVIT, APPLICATION SCHEDULE FORMS FOR
AND ORDER PROTECTION****FORM 1
GENERAL FORM OF APPLICATION FOR
PROTECTION ORDER**

In the..... Court
In the..... Division/District
Suit No

Between

A.B.Complainant

and

C.DRespondent

**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 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
apply that A.B. be protected by the Honourable
Court by the issuance of a Protection Order against
the Respondent.

Dated this day of.....

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. Respondent

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

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

DESPONDENT

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

E.F Guardian

**CONSENT TO APPLICATION FOR PROTECTION
ORDER**

I, A. B. Complainant in this case hereby consent to
the application by E. F., for the issuance of a
Protection Order on my behalf.

Dated this day of

Complainant

FORMS 5**GENERAL FORM GF INTERIM PROTECTION
ORDER**

In the Court,
In the Division/District.
Suit No

Between

A.B. Complainant

and

C.D. Respondent

and

E.F. Guardian/Police Officer, etc
To: C.D. 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 a 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 ofthe return date, why a protection order should not be issued against you.

THIS ORDER shall serve as a protection 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

E.F. Guardian/Police Officer, etc.

To: C.D 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 a prima facie evidence that you have committed an act or acts of domestic violence against the Complainant, or 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 household: provided that the court may impose this prohibition only if it

appears to be in the best interest 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 enjoyment;
- (g) preventing the Complainant from entering or remaining in 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; or
- (k) as the court deems fit.

Given under my hand this.....day of.....

Judge/Magistrate

SCHEDULE II**FORM A**

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

ANASI PATRICIA O. (MRS)
CLERK OF HOUSE OF ASSEMBLY,
EBONYI STATE OF NIGERIA.

Dated this day of 2018

FORM B

Assented to by me thisday of 2018

CHIEF ENGR. DAVID NWEZE UMAHI
(FNSE, FNATE)
GOVERNOR,
EBONYI STATE OF NIGERIA

FORM C

I withhold my assent.

GOVERNOR
EBONYI STATE OF NIGERIA

Dated this..... day of 2018