



EBONYI STATE HOUSE OF ASSEMBLY

A BILL

FOR

A LAW

**TO AMEND EBONYI STATE VIOLENCE AGAINST PERSONS
(PROHIBITION) LAW, 2018 AND FOR OTHER RELATED MATTERS.**



EBONYI STATE HOUSE OF ASSEMBLY

A BILL FOR A LAW TO AMEND EBONYI STATE VIOLENCE AGAINST PERSONS (PROHIBITION) LAW, 2018 AND FOR OTHER RELATED MATTERS.

Long Title

BE IT ENACTED by the House of Assembly of Ebonyi State of Nigeria as follows:

Enactment

SECTION 1

This Law may be cited as the Ebonyi State Violence Against Persons (Prohibition) and Other Related Matters (Amendment) Law 2022.
It shall be read and construed as one with the Principal Law.

Citation

SECTION 2

This Law shall be deemed to have come into effect on**day of**
....., **2022.**

Commencement

SECTION 3

In this Law, unless the context otherwise requires:

"Court" means the High Court of Ebonyi State and the Magistrate Court of Ebonyi State.

"Governor" means the Governor of Ebonyi State of Nigeria.

"GBV" means Gender Based Violence and includes but not limited to the offences created under the Principal Law.

"Principal Law" means the Ebonyi State Violence Against Persons (Prohibition) Law No.002 of 2018.

"State" means Ebonyi State of Nigeria.

Interpretation

SECTION 4

Section 33 of the Principal Law is amended by adding Magistrate Court to read as follows:

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

Jurisdiction

SECTION 5

There is hereby established for the State a court to be known as the Gender Based Violence Court (in this Law referred to as "the Court") for the purposes of hearing and determining matters on gender based violence or gender based offences.

Establishment of the GBV court

SECTION 6

The Court established under this Law shall be at two levels:-

- a. The court as a Division of the High Court of Ebonyi State at the High Court level; and
- b. The Court as a Magistrate Court of Ebonyi State, at the Magistrate level.

Court to have two levels

SECTION 7

The Gender Based Violence Court created under this Law may sit where:

GBV Court at zonal or LGAs

- a. The Gender Based Violence or offence was allegedly inflicted or committed and shall have jurisdiction to entertain complainant or application under this law, or
- b. The defendant or the complainant resides, or
- c. At such designated place in each of the 3 Senatorial Zones of the State, or
- d. At such designated place in each of the 13 Local Government Areas of the State.

SECTION 8

- 1. Subject to the provisions of this Law and to such other jurisdiction as may be conferred on it by any other law, the Court shall have unlimited jurisdiction to hear and determine:-
 - a. Any criminal proceedings involving or relating to any offence created under the Principal Law and committed against a person.
- 2. The Court shall have the power to make an order for adequate compensations to the victims of Gender Based Violence or Gender Based Offences, in addition to the penalty or penalties prescribed under the Principal Law.

General
Jurisdiction

Compensation

SECTION 9

- Any private person or social worker present at the scene of crime under this Law or who learns of any incident of Gender Based Violence or offences may arrest the offender and render such assistance to the victim/survivor as may be required in the circumstance, including:
- i. Using reasonable force to rescue.
 - ii. Making arrangement for victim to find suitable shelter.

Power of arrest
and duty to
assist
victim/survivor

- iii. Directing victims to obtain medical treatment;
provided that a report shall be made to the nearest police formation of such arrest.

SECTION 10

The GBV activities shall be facilitated by the office of the wife of the Governor and coordinated on her behalf by the Ministry of Woman Affairs and Social Development and the Ministry of Justice.

Coordination of
GBV

SECTION 11

The wife of the Governor who is the Chief Executive and Facilitator of the Programme shall have power to appoint and constitute:

GBV Committee
and GBV Team

- a. GBV Committee to supervise and monitor the implementation of GBV activities.
- b. GBV Taskforce and Implementation Team, which shall be under the supervision and direction of the GBV Committee.

SECTION 12

- a. The victim(s) or survivors of Gender Based Violence or offences shall be entitled to receive free and adequate medical investigation, diagnosis and treatment in any Government Hospital or Health Centre operating in Ebonyi State.
- b. It shall be an offence for any Government hospital, medical officer or health worker to refuse to attend to the victim of Gender Based Violence or offences.

Free medical
care for victims

- c. The offender shall be liable to a term of imprisonment for (3) three months or fine of Two Hundred Thousand Naira or both such fine and imprisonment.

SECTION 13

Without prejudice to the provisions of this Law, the court may in appropriate or deserving cases permit or allow the application of Alternative Dispute Resolution in cases of Gender Based Violence; **Provided** that the victim/survivor is not a minor or below the age of 18 years.

Application of
ADR

SECTION 14

1. The State Government shall make budgetary provisions in the Annual Appropriation Law to fight the prevalence and scourge of Gender Based Violence.
2. The money appropriated or grants or aids received by way of donations shall be supervised by the Gender Based Violence Committee

Funding

SECTION 15

The object and purpose of this Law is to amend Ebonyi State Violence Against Persons (Prohibition) Law, 2018 and other related matters thereto.

Object and
Purpose