

COURT ADMINISTRATION AND CASE MANAGEMENT (CACM)

NEWSLETTER

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Justice will not be served until those who are unaffected are as outraged as those who are.
— Benjamin Franklin

We are pleased to bring you this edition of our newsletter, where we highlight our efforts in improving the criminal justice system in Nigeria.

Last year, we conducted a baseline assessment of the state of records and evidence management in the administration of the criminal justice system in the three CACM project states - Nasarawa, Kaduna, and Plateau. The findings were alarming as they revealed poor records and evidence management practices in the various states. Manualized case and trial management practices exposed workflow gaps and inefficiencies that engendered congestion in courts and custodial centers in the pilot states.

As at December 2022, there were 1,714 inmates at the 547-capacity Medium Security Custodial Centre in Kaduna. 1,293 of the inmates awaited trial and had been in custody for two to seven years. The official

capacity of the Lafia Custodial Centre is 412, but by April 2023, the number of inmates interned at the facility had reached 716. Of these, 492 awaited trial and had been in custody for 24 to 36 months or five to seven months depending on whether the cases were being tried before the High Courts or magistrate courts respectively. With an official capacity of 1,449 inmates, the Jos Custodial Centre in Plateau State was the only custodial facility that was not overcrowded. There were 993 inmates as of April 26, 2023. Of these, 668 inmates had awaited trial for three to 12 months.

The Administration of Criminal Justice Law in the pilot states sets a desirable timeline of 180 days from the date of arraignment for courts to complete criminal trials. However, none of the states are able to observe this timeline. As a result, each of the three custodial centers has a predominance of persons who await trial while in custody. In Kaduna, this category was more than twice the capacity of the custodial facility. In Lafia, it was 119.4% more. As observed, only the Jos custodial facility was not crowded at 68% of capacity. Even then, the awaiting trial persons (ATP) population was 205% more than the convict size.



CUSTODIAL CENTRES CAPACITY IN NIGERIA

KADUNA

As of December 2022



1,714

inmates at the **547-capacity** Medium Security Custodial Centre



1,293

of the inmates awaited trial and had been in custody for 2 to 7 years.

NASARAWA

As of April 2023



716

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492

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PLATEAU

Official capacity



1,449

Jos Custodial Centre in Plateau State was the only custodial facility that was not overcrowded.

As of April 2023



993

persons were interned at the facility. Of these, **668** inmates had awaited trial for 3 to 12 months.

ATPs raise legitimate questions about why attempts to improve criminal justice delivery still leave us with such worrisome numbers. Similar ATP trends across the country suggest that the criminal justice system continues to be overwhelmed by daunting caseloads.

But the challenge is not just about caseload sizes and poor case turnover. Delayed court processes and their consequential effect on court dockets have a lot – perhaps more - to do with case management processes that courts employ. As we reported in the first edition of this newsletter, a baseline survey conducted earlier in the project highlighted how substandard case and records management practices delayed court processes and impacted lives negatively.

Such delays ought not to linger. Criminal proceedings resolve the rights and interests of persons. At one end of the spectrum is the alleged offender who ought to enjoy a constitutional presumption of innocence until he or she is proven guilty, the victim who wants redress, and the families of the suspect and victim who all want closure. On the other end of the spectrum are service providers whose ability to discharge their obligations optimally is impacted by poor case management practices. These include the defense attorney, the correctional officer who brings the suspect to court, and the prosecutor amongst others.

As the maxim goes, “justice delayed is justice denied”: when criminal processes are interminably long, the quest for justice becomes elusive. CACM responds to this challenge and brings criminal justice institutions in Kaduna, Nasarawa, and Plateau States together in partnerships to improve access to justice through infrastructure upgrades and technical assistance that strengthen the capacity to address systemic delays, improve interagency coordination, and accelerate court trials.

ADDRESSING CASE AND RECORD MANAGEMENT CHALLENGES: THE CACM APPROACH

Following the validation of the report of the baseline assessment, the CACM project team proposed a range of interventions that focused on three critical institutions in the criminal justice system, namely courts, the Department of Public Prosecutions, and the Nigerian Correctional Service.

The focus was necessary to pilot the proposed interventions successfully, but it also envisaged a range of indirect beneficiary institutions, such as police officers who prosecute cases, and defense attorneys who will benefit from improved case management and case scheduling systems.

The intervention design, which has been approved by the primary beneficiaries, contemplates four streams of activities. First, court processes involving case management, case scheduling and notification, evidence and records management

and archiving, interagency communication and coordination, and complaints management will be standardized. This should result in the development of governing instruments and policy frameworks that would instigate practice changes in the institutions.

Secondly, the project will support infrastructure upgrade or acquisition for case management, and evidence and records management and preservation. Once standardized, case management workflows will be automated to track and monitor case flows, and issue digital notices of court proceedings, based on new performance management benchmarks that the project will help the Judiciary and Ministry of Justice in focal states to develop and institutionalize. Courts will be enabled to hold virtual court hearings and to record and transcribe court processes digitally so that ATPs who cannot be brought to court will be

able to participate virtually in court proceedings. Case files and evidence will also be organized into tamper-proof boxes and stored on shelves with proper access control measures.

Thirdly, the project will support the establishment of secretarial pools for magistrate courts in capital cities in the focal states. This intervention became necessary when the baseline study revealed that magistrates in the three states typed or photocopied court judgments, rulings, and other court processes at business centers.

Lastly, the project will support capacity development for judges, magistrates, prosecutors, and staff of the judiciary, Nigerian Police Force, and Nigerian Correctional Service. These will be trained on the technology and governance instruments that the project will help to develop. Training will ensure that the beneficiary can sustain the reforms long after the project comes to an end.

HIGHLIGHTING THE IMPACT OF RECORDS AND INFORMATION MANAGEMENT TRAINING IN KADUNA STATE

In November 2022, the CACM project held a capacity building and training workshop on information and records management for over 20 court registrars and administrative staff from Nasarawa, Plateau, and Kaduna states.

The training imparted participants with global best practices for effective information management, so that they can begin to address deficiencies in records and exhibit management in their respective courts.

Following the training, one of the participants, Mr. Suleiman Abubakar Sadiq, who works as the process registrar for the Kaduna State High Court of Justice, commenced a review of record-keeping practices in the high court. He chronologically reorganized case files into a secure room, using an excel-based spreadsheet to index and categorize the case files based on subject matter, and case type, the court the case is assigned to and the presiding judge. These changes helped Mr. Sadiq to locate and retrieve case files easily and in a timely manner. He could also begin to track the duration of each case.

“I am grateful for the training as it has transformed my thinking and record-keeping practices. The workshop has made it easier for me to trace records, and I feel proud to have learned from it.”

Mr. Suleiman Abubakar Sadiq
Process Registrar (Kaduna State Court of Appeal)

Mr. Sadiq's efforts affirm the positive impact of the CACM project on the justice system in Kaduna State. The implementation of these initiatives will result in a significant increase in the efficiency, and transparency of case management and administration. Furthermore, this approach will help to alleviate the prevalent case backlog that has plagued the Kaduna State Judiciary.



Mr. Suleiman Abubakar (right) receiving his certificate of attendance from the records management training.



Barr. Suleiman with the CACM Project Team inspecting his courtroom. Feb. 2023

PHOTO STORY

Here are some pictures from the CACM team visit to Kaduna State High Court





ABOUT PPDC

Public and Private Development Centre (PPDC) is a non-governmental organisation and social enterprise driven by the desire to have a more transparent and accountable government and to increase citizens' participation in governance processes. Our programs are designed to promote values and initiatives which drive institutional, behavioural and systemic change in our society.

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