More rapes, few convictions

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Rape perpetrators are seldom convicted. MICHELLE AGOH finds that behind this are the fact that the prosecutorial arm of the police is poorly funded and rape victims are ‘reluctant’ to volunteer information  
  
The odds seem stacked against rape victims. There are far more rape cases than are reported to police, and of those reported, few are prosecuted, and far fewer offenders convicted.  
  
The reporter visited the gender unit of the Lagos State police command, Ikeja charged with investigating gender-based cases including sexual abuse, domestic violence, child abuse, and children in conflict zones, among others. The gender desk, established three years ago, in June 2016, boasts nine staff consisting of eight policewomen and one policeman trained on gender issues by UNICEF facilitators.  
  
The unit is not funded. It does not have a vehicle to carry out its functions. Staff spend their own money on court documentations, transportation and medical bills.  
  
In 2015, through the Lagos State Security Trust Fund, the administration of former governor Akinwunmi Ambode spent N4.6 billion on security gadgets consisting of 100 four-door saloon cars, 55 Ford Ranger pickups, 10 Toyota land cruisers and 15 BMW power bikes, among others. In September 2019, current governor Babajide Sanwo-Olu handed over 125 vehicles and 35 motorcycles to security agencies which include the police.  
  
Not a vehicle got to the Gender Unit of Lagos State police command.  
  
From 2016 the gender unit has handled over 2000 gender-based cases with 90% of victims being women, said Mrs Abimbola Williams, head of the unit. For child molestation, 30% of boys and 70% girls are victims. Cases are usually sent to the Directorate of Public Prosecution and are duplicated before taken to court. For juvenile cases, the suspects are sent to Borstal training institute for rehabilitation which is run by the Nigerian prison service  
  
In 2018, there were 250 rape cases reported, with only 10 convictions, said the Lagos State police spokesman Bala Elkana. In 2019, 155 cases have been reported with 138 charged to court but zero conviction so far because they are still pending in court.  
  
Why is the number of rape cases high but only few convictions? the reporter asked the police spokesman.  
  
He said: “We cannot successfully prosecute a rape case without witnesses willing to testify. Once we receive a complaint, we investigate, facts and evidence are gathered, survivors are taken to the hospital (The Mirabel Centre), forensic examinations are carried out and reports are given but challenges arise after charging the matter the court. There are many instances where the survivors will not step forward in court to testify, mostly because you find out that the family ends up entering discussions with the family of the perpetrators, sometimes they try to make that effort right from investigation stage but because the case is capital in nature and we can’t be part of impunity and can’t allow it to continue, we always insist on charging the matter to court. But they feel well, since you refused at the investigating stage, we will not go to court then; let’s see how the matter will go.  
  
This can be very frustrating.”  
  
There are reports of officers treating victims poorly. What is being done to sensitise your personnel on proper handling of rape cases to enable survivors speak boldly?  
  
“Well,” Elkana said: “I don’t know where that report is coming from and I’m not sure it’s from Lagos State but to be honest with you, we have one of the finest systems here. I gave you a figure, if people don’t really step forward, you won’t have this number. From last year, 250, it’s a large number. This year alone, it’s 155. People step forward. The practice in the past was from the gate, you explain yourself then go to the charge room again and narrate your story and sometimes while narrating your story, you have people there for different purposes, and you end up getting more people hearing you, then you have more people questioning you from the investigators to the DCO, DPO, repeating the story and at some point the survivor may say or think why am I repeating my story? Don’t they believe me? But now, we changed the approach. We said no, the victim only has to tell her story once and that must be at the gender unit or family support unit. So whoever needs to know that’s the supervisors, goes through the statements and not ask the survivors further questions, and that has helped. We try to have a level of confidentiality. At the gender unit, we have a separate room where only victims speak. The gender unit is a one stop shop where you have investigators work closely with the legal, medic so the survivor has a full package. To follow up with witnesses, doctors go to testify, police investigators do the same but when the victim refuses to go to court what can the judge do?”  
  
How can citizens help the police to secure convictions on rape cases?  
  
Elkana said: “If we must get more people convicted then we must work together with the police. Citizens must come together, perpetrators need to be put where they belong and the only way to do that is if we are willing to step forward to testify in court. We have done fine investigations, we have arraigned perpetrators in court and now to get convictions we’re having challenges partly because citizens who are directly affected by those acts are not really willing to step forward to testify. When a case is adjourned, expecting the witness to step forward, the witness is absent in court and they keep on adjourning the matter, it frustrates the process.”  
  
Why are rape victims unwilling to come forward?  
  
Mide Coker of Women at Risk International Foundation (WARIF), a nongovernment organisation (NGO) founded in 2016 in response to the high incidence of rape and human trafficking among young girls and women in Nigeria, said the organisation is “tackling this problem…through a unique holistic approach and this covers health, education and community service. We are doing all that we can in this fight against gender-based violence.”  
  
Mide commended the police for their work, noting that WARIF and the police are in partnership, but she expressed her concerns regarding figures police quoted.  
  
She said, “I was surprised when the PPRO mentioned that the amount of cases reported was 250 last year. At WARIF, we have a centre in Yaba at 6 Turton Street off Durban Avenue where we support survivors of rape and sexual violence with immediate medical care, legal aid, counselling, access to shelters and welfare and at the WARIF centre. Last year we had 361 survivors of rape and sexual violence.  
  
Did all 361 tell their story?  
  
“Well,” Mide said, “it depends; most survivors come in at different times, some at the time it happened and some, a few months after it happened. So I’m quite surprised to see the number because it’s different from what we have in WARIF. The PPRO mentioned they have 155 cases reported this year but we have seen over 300 survivors at the WARIF centre and this is Q3.”  
  
Did they say the rape happened this year?  
  
“Well not all of them, but most of them. Especially because they come in, like I said, we are in partnership with the police so most times, it’s reported first at the police station before coming to the WARIF centre so because of this partnership, they come straight from the police station.  
  
Mide said she believed existing laws are adequate to handle rape and violent sexual cases.  
  
She said: “Here, we work with the criminal law of Lagos State and section 258 states that any man who has unlawful sexual intercourse with a woman or girl without her consent is guilty of rape and this offence is punishable by life imprisonment. So, the laws are there, the laws are strong enough but the question now is do people know about these laws? Do they know that rape is a crime? Do they know that it’s punishable by life imprisonment? The answer is NO.”  
  
Does WARIF encourage rape victims to testify in court and pursue prosecution?  
  
Mide said: “Well at WARIF, our first concern is the survivor. So, of course, we cannot pressure them into speaking out or into reporting but because one of the services we offer at the centre is legal aid, we always ask them “what do you want to do?” so they tell us they just want the medical care, they don’t want legal aid. This is because of the way our society is set up. Women have been subjugated, there’s a lot of stigmatisation for survivors of rape and sexual violence so we’ve realised that most times when they come into the centre and they say they are ready to go forward and prosecute the perpetrator, along the line, with intervention of the family, the perpetrator himself, or when they speak out and find that the responses coming from those around them isn’t strong or supportive, they give up.”  
  
What changes should be made to make the society safer for young girls and women?  
  
Mide said: “At WARIF we always say it’s our collective responsibility to make our society a safer place. Its’ not one person’s effort, we can’t rely solely on the government and that’s why we have different initiatives we try to use to fight this menace.  
  
One of them is the police case management sensitisation programme, and like police PRO mentioned that victims are not met with hostility but to be honest with you, those who come to our centre say the contrary. They say they’re questioned on what they we were wearing and why they were there.  
  
So, we felt it’s our duty to speak to these policemen, so we have trainings like I said with the support of the commissioner of police where we sensitise police men and women on how to speak to survivors, what to say to them, how to be sympathetic and empathic to them and their situation at the time.  
  
And so far, with the police training, we have trained 537 policemen and policewomen and we’ve visited at least 15 police stations across Lagos.  
  
So we’ve noticed that with our case management sensitisation programme, the number of survivors coming to the centre from the police station has increased and it also helps with better reporting because when they come to our centre and they see the medical personals, we give them the report that is used for the prosecution of the case.”  
  
From the prosecutors of sexual offenses to victims themselves and the society at large, it seems there is a lot of work to do to keep girls and women safe from sexual assailants.