Reps to extend time limit for sexual offenders’ prosecution

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The House of Representatives is pushing for an amendment to the Criminal Code Act to enhance the prosecution of rape and other sexual offences, particularly by extending the time frame within which offenders can be prosecuted.  
  
The proposed legislation, titled the “Criminal Code Act Amendment Bill, 2024,” aims to tackle loopholes in the law that allow offenders to evade justice due to a restrictive prosecution timeline.  
  
Sponsored by Bitrus Laori, representing Demsa/Numan/Lamurde Federal Constituency of Adamawa State, the bill seeks to amend Sections 218 and 221 of the Principal Act.  
  
Under the current law, a prosecution for sexual offences must begin within two months of the offence being committed.  
  
The amendment proposes extending this period to two years, giving victims and law enforcement more time to build strong cases against perpetrators.  
  
A copy of the bill obtained by The PUNCH shows that Section 218 (2) will be revised to state, “A prosecution for any of the offences defined in this section shall be begun within two years after the offence is committed,” replacing the current two-month limitation.  
  
Section 221 (2) is set to undergo a similar alteration.  
  
Laori, a member of the Peoples Democratic Party, explained that the current time limit often denies victims justice and allows offenders to escape accountability.  
  
“The two-month period of limitation within which an offender of these offences has to be prosecuted provides a window of escape from prosecution and punishment of such offenders after two months,” he stated.  
  
He further argued, “Many times where these offences are committed, reporting of the cases, arrest of the offender, investigation, collection and processing of evidence, as well as the commencement of trial, take longer than two months. This is usually influenced by factors such as threats, stigmatisation, and the absence of willing witnesses to testify for the prosecution.”  
  
Laori criticised the existing provision, describing it as a hindrance to justice and a contributor to the prevalence of sexual violence.  
  
“The state of Nigeria’s poorly defined criminal laws and weak law enforcement creates an environment where rape is committed with freedom,” he said.  
  
He added that extending the time frame for prosecution would deter offenders, ensure justice for victims, and foster a safer society.  
  
“The removal of this time limit would put perpetrators in the know that there is no window of escape for them once they commit this offence and would operate to a great extent in deterring them and others from further committing the offences,” Laori concluded.  
  
If passed, the bill is expected to mark a pivotal moment in Nigeria’s fight against sexual violence, offering hope to victims and strengthening the criminal justice system.