

## CORRUPTION AND POLICY MAKING IN NIGERIA: STRENGTHENING JUDICIAL INTEGRITY AND CAPACITY

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### Abstract:

*This paper examined Corruption and Policy Making in Nigeria: Strengthening Judicial Integrity and Capacity. The method of data collection and framework of analysis are based on documentary analysis and underdevelopment theory. The paper argues that corruption is caused by poor leadership; lack of accountability, transparency and good governance; the monopoly of power by government officials; and the discretionary powers of politicians and bureaucrats over the formulation and interpretation of the rules and regulations and allocations of projects. The paper argues that corruption has seriously contributed to the underdevelopment in Nigeria because it drains the available resources for productive purposes and discourages investment. It also hinders Nigerian state to discharge its distributive function. In addition, corruption drails democracy and generates political violence. Furthermore, it intensifies abject poverty, conditions infrastructural decay and a general decline in the living standard of the citizenry. The paper argues that judiciary that is shouldered with responsibilities for punishing corrupt officials is confronted with institutional weaknesses, appointment of corruptible judicial officials, procedural deficiencies and absence of incorporation of information technology in the judiciary. The manifestations of these problems call for strengthening policy making through judicial integrity and capacity. This could be achieved through judicial independence and autonomy; appointment of judicial officials from retired judicial officials based on integrity, credibility and intellectual capacity; setting up time limit for ruling criminal and civil cases; upgrading ICT facilities for easy communication and administration of judicial proceedings. The paper concludes that if these measures are strengthened as policy levers corruption would be reduced to the bearest minimum.*

**Key words:** Corruption, Underdevelopment, Judicial Integrity, Policy Making etc

**Introduction:**

An independent and impartial judiciary is an essential political institution for the efficient and sufficient application of rule and equality before the laws in democratic societies (Taslitz, 2007; and 2010). Judiciary protects human rights and liberties, ensures accountability of executive and legislature and supports economic and social progress in the state (UNODC, 2014).

Investigation reveals that judicial corruption is caused by greedness, inordinate ambition, the keen desire to put one over others (Aleksandar, 2015), poor remuneration, executive and legislative interferences, and incompetence (Taslitz, 2010). The manifestation of judicial corruption has the potential of damaging the society that has been structured on democratic values supported by the robust struggle of civil society organizations. A corrupted judiciary could destroy a fundamental functioning market economy (Aleksandar, 2015). This is more pronounced when judicial rulings and judgements become suspect due to corruption hence the productivity of businesses is greatly reduced in areas where greater potentiality for disputes prevails (Aleksandar, 2015).

The emerging trend and challenges of judiciary via corruption across the globe therefore necessitates the relevance of judicial integrity to promote justice and equity in the administration of judicial laws. The need to achieve the above targeted objectives has led to the growing attention and support from agencies of the institutions for global governance, governments and development partners. The Bangalore principles of independence, impartiality, integrity, propriety, equality, competence and diligence that Nigeria ratified in 2003 as well as institutional restructuring and implementation of IT facilities serve as policy levers for strengthening judicial integrity and capacity. Therefore, this paper intends to examine the workability of the identified policy frameworks and levers in strengthening judicial integrity and capacity in the country.

**Judicial Corruption: A Contextual Issue in Globalized World:**

Corruption in judiciaries is a problem on every continent. Where it occurs, this corruption undermines the rule of law and civil society because it causes citizens to lose faith in the ability of government to assist them. And where judicial corruption exists, it is impossible to eliminate corruption in other aspects of government. This issue requires attention and resolve of the legal profession as a whole to overcome it, and IBA, as the global association of lawyers and Bar associations can uniquely contribute to the fight against judicial corruption (Rivkin, 2015).

For instance, in a survey conducted about the judicial service delivery in Mauritius, between 15 and 22 percent of the people interviewed stated that most of the magistrate courts were corrupt (TI and Economic Development Institute of the World Bank, 1998). Similarly, an empirical survey conducted by the World Bank in Tanzania, 32 percent of the respondents stated that upon contact with the judiciary were demanded to pay extra token fee for the service provided (World Bank, 1996). In Uganda the dynamics of judicial corruption was demonstrated in high propensity

compared to Mauritius and Tanzania. The scenario revealed that over 50 percent of the respondents who have contact with the courts stated that court officials demanded bribes to be paid (Inspectorate of Government of Uganda, 1999). In a Focus Group Discussion (FGD) recorded in the same country a respondent stated that “if you do not cough (pay a bribe) something, the case will always be turned against you and you end up losing it”. Similarly, CIET International, National Integrity Survey (1998), in Uganda reported that a respondent was quoted to have said “the clerks would not allow you see the magistrates unless you have given in some money”. In another dimension a respondent lamented that “the magistrates keep on adjourning cases until they are bribed”.

World Bank (2000) research on the operation of judicial system in Cambodia reported that 64 percent of the people interviewed agreed that the judicial system was very corrupt while those that had contact with the judiciary expressed their dissatisfactions because they paid bribes for the service provided. In addition, in all the challenges that confronted the judicial system, corruption was ranked the major lacuna in the application of judicial laws and their interpretations. In Bangladesh a household survey on judicial corruption indicated that 63 percent of litigants had given bribes to either the judicial officials or the opponents’ lawyers. In a related development 89 percent of the respondents surveyed concluded that the judges were corrupt (Transparency International, 1998). In Phillipines the case was not different from Bangladesh because 62 percent of the respondents agreed that there was high manifestation of corruption in the judicial system while 57 percent concluded that majority of the judges could be bribed for the service provided (World Bank, 2000).

Similarly, World Bank (1998) conducted a research in Latvia about the application of judicial system and reported that 40 percent of the respondents who had cases with the courts believed that corruption among the judges and prosecutors became the order of the day. Among the businessmen and households 10 and 14 percents respectively were shown indications to give bribe. The phenomenon also envelopes Nicaragua because 46 percent of the respondents surveyed and had contact with judicial system stated that the system was engulfed with corrupt attitudes and tendencies. To demonstrate the intensity of the practice, the survey revealed that 15 percent of the respondents were confronted by the judicial officials and demanded to pay bribes from the service provided to the litigants (Comit Nacional de Integridad-Banco Mundial-CIET International, 1998). A related scenario became manifest in Bolivia where 30 percent of the respondents involved in a judicial service survey stated that they were contacted by the judicial official to pay bribe and 15 percent had actually paid the bribe (CIET International, 1998).

UNODC (1999) reported that:

Indicators of corruption as perceived by the public, include: delay in the execution of court orders; unjustifiable issuance of summons and granting of bails; prisoners not being brought to court; lack of public access to records of court proceedings; disappearance of files; unusual variations in sentencing; delays in delivery of judgements; high acquittal rates; conflict of interest; prejudices for or against a party witness, or lawyer (individually or as a member of a particular group); prolonged service

in a particular judicial station; high rates of decisions in favour of the executive; appointments perceived as resulting from political patronage; preferential or hostile treatment by the executive or legislature; frequent socializing with particular members of the legal profession, executive or legislature (with litigants or potential litigants); and post-retirement replacements.

The above dynamics of judicial corruption motivated Taslitz (2010) to argue that the prevailing political hypocrisy induces by the political executives and legislatures when become successful serves as an evil weapon that hinders judges from upholding and maintaining political accountability. This contradicts democratic ethics despite the fact that modern democracies allow every citizen to have an equal voice in his political environment (Fred, 2012). Extending his argument further Fred (2012) maintains that “short of that extreme, unreasonably denying a group of people a full and equal public voice is often tantamount to an aristocratic cabal, for it places power in the hands of a few at the expense of the many”. In a related development Ronald (2003) argued that “political equality lies at the core of our democratic ideal, and ...any society denying a competent person an equal voice in public affairs is not a democracy at all”.

Leandro (2004) argued that:

The phenomenon of corruption within the judiciary throughout the world ...goes far beyond economic corruption in the form of embezzlement of funds allocated to the judiciary by Parliament or bribes, a practice that may in fact be encouraged by the low salaries of judges. It may also concern administration within the judiciary (lack of transparency, system of bribes) or take the form of biased participation in trials and judgements as a result of the politicization of the judiciary, the party loyalties of judges or all types of judicial patronage. This is particularly serious in that judges and judicial officials are supposed to be a moral authority and a reliable and impartial institution to whom all of society can turn when its rights are violated (Leandro, 2004).

And inequality warrants the manifest of judicial corruption (Grant, 1999). Grant was of the view that inequality via vanity makes judges to perceive one person as superior to another. This creates the impression by which the high stratum downplays the lower thus reinforcing the superiority complex of the former (Grant, 1999). Rousseau (1754) had earlier argued that when individual at the lower stratum reacts to dismantle the stratum relations, the high exhibits retributive tendencies. This perspective makes Blaug (2010) to lament that the psyche domain of the judges promotes the tendency of isolating the need to identify the characteristics of the lower stratum. Therefore, the trends and dynamics of stratum relations breeds judicial corruption. Blaug (2010) maintained that:

Though corruption by power entails an interaction between individual and group, the social influence on individual thinking remains invisible. Corruption is thus a perceptual distortion. It is a disorder of cognition and epistemology, and is parasitic on the invisibility of the processes by which meaning is constructed.

Judicial self-deception therefore is guided by instinct of corruptible judge, an accumulative psyche that hinders and arrests the justice and equity in judicial matters (Luna, 2000). The dilemma of judicial deception is more pronounced in criminal judicial system (Taslitz, 2012) although part of the reasons for its adoption is meting out punishment for wrongdoers (Taslitz, 2012) as accused wrongdoers fall within the context of lower stratum, judge has more opportunity to stigmatize them without recourse to their social status (Taslitz, 2012). Therefore, “the ordinary unconscious nature of this process hides its work” (Taslitz, 2012). Practicable as the process becomes, the judges were captured by inordinate rendition over lower strata hence unaware of their judicial institutional decay (Pizzi et al, 2005). Amidst the situation, Yochi and Paul (2001) earlier suggested the institutionalization of procedural justice that could provide access to equal respect for the ruler and ruled. The agenda agreed, the retrospective moral judgement that rocks the judicial system based on hierarchical social strata would be eradicated. Reinvigorating judges to strictly adhere to procedural justice gives the defendants the leverage to acquire due consideration from their claims (Taslitz, 2010) although in his earlier study (Taslitz, 2007), had already believed that the denial of procedural justice belittles the social status and promoting high justice is a parameter that could be respected by all. He argues that “but no exclusionary rule means no suppression hearing, thus no anti-corruption influence of the effective voicing of grievances” (Taslitz, 2010: 61-67). Impliedly, voice or opinion expressed promotes accountability and greater accountability improves individual performance at various endeavors.

The Transparency International (2010) in its annual report stated that:

A functioning judiciary is a guarantor of fairness and a powerful weapon against corruption. But people’s experience in many countries fall short of this ideal. In some countries, the majority of those who have contact with the courts encountered bribe demands, and the total amount paid in bribes can reach staggering proportions. Corruption in the judiciary goes beyond the bribing of judges. Court personnel are paid off to slow down or speed up a trial, or make a complaint go away. Judges are also subject to pressure from above, with legislators or the executive using their power to influence the judiciary, starting with skewed appointment processes. Citizens are often unaware of their rights, or resigned, after so many negative experiences, to

their fate before a corrupt court. Court efficiency is also crucial, as a serious backlog of cases creates opportunities for demanding unscheduled payments to fast-track a cause (Transparency International Annual Report, 2010: 39).

The language of corruption as argued by Lawrence (2011) was mystical in nature because it could be attributed to evoking images of “vampires or dragon”. In fact, the metaphor of diseases that are instrumental to corruption creates a sense of humor that the root and causative agents of corruption undermines the spirituality of the corrupted mind (Lawrence, 2011). This magical phenomenon has positive impact because it promotes expulsion of instrumentality of corruption from judicial system (Rachel, 2012). This perspective made Bloom (2012) to argue that judicial integrity in relation to public perception concerns itself with promoting the courts as being “regarded as the symbol of lawfulness and justice” and “not appearing to be allied with bad acts”.

### **Integrity and Judicial System:**

Integrity stems from Latin adjective word “integret”, meaning a whole or complete. Integrity is characterized by honesty, transparency and consistency of good character. The wholesomeness of the concept therefore does not limit it to the features identified above but also extends to cover the value system of a particular society. This argument could be supported where section 34 subsection (1) provides that “no person shall be subjected to torture or inhuman or degrading treatment”. Rivkin (2015) believes that:

The aim of judicial integrity is to raise awareness of the legal consequences of judicial corruption where it exists, combat it through promoting the highest standards of integrity among judges, prosecutors, court personnel and lawyers and further the best practices of countries that have worked effectively to eliminate corruption. It is clear that we have a lot of work to do (Rivkin, 2015).

The value system of a society involves the realization of consistency of actions, values, methods, measures, principles, expectations and outcomes. In western democratic ethics integrity is conceptualized and operationalized as the motivation of one’s action. This perspective links the argument to the development of integrity in ethics. Integrity in ethics connotes to the quality of wholeness in the body of laws and characterized by unity, consistency, parity, unspoiledness and uncorruptedness. Section 17 Sub-section 1 of the 1999 Constitution states that “the social order is founded on ideals of freedom, equality and justice”. Jimmy (1997) argued that integrity requires the fulfillment of three stages. These are “discerning what is right and what is wrong and acting on what you have discerned, even at personal cost and saying openly what you are acting on your understanding of right from wrong”. Therefore, the realization of the three components of integrity requires the application of judicial qualification of the judges and intensification of their institutional role. This made Soeharno (2009) to argue that the personal integrity of the judges did not matter but the integrity of the role he plays in the dispensation of justice and equity. Additionally, the principles of the judge ought to be those recognized and

acknowledged by the law rather the private principles of the judge. To quantify the institutional integrity of the judge Soeharno (2009) further argued that he ought to adhere to the rule of law and be consistent with democratic ethics of the political system where he adjudicates. But rule of law requires consistency and the right judicial character which cover issues such as institutionalizing a government that sets limits to its own power by abiding to the standing laws; ensuring equality before the law; and achieving enforced human rights (Rachel, 2012). However, the conceptual clarifications of the equality before the law and human rights vary based on their understanding and determinants in specific situations. These aspects of the rule of law could conflict with others such as preserving law and order for the attainment of public safety net and normalcy (Thomas, 2006). These conflicting issues leverage the judge with degree of certain discretion albeit within a horizon of movable psycho domain hence the emergence of judicial integrity of judge via his character. In connection to this Henry (1999), argued that the integrity of judges in England has been long established. Thus, “the reputation for integrity on the English Bench has been established so firmly that for so long that even the denigrators of English judges do not suggest that they do not still bear and justly bear that reputation”.

### **Strengthening Judicial Integrity and Capacity:**

The entrenchment of democratic values and ethics require the institutionalization of strong and independence judiciary that could checkmate the executive and legislative upheavals as well as ensure strict adherence to rule and equality before the laws. The United States was the first country that drafted a code of ethics for its judges. To make it practicable, in 1920s a judge was appointed as the National Commissioner of Baseball for a salary seven times his remuneration. In line with the clarion call for ethical code of conduct for judges, the American Bar Association (ABA) appointed a commission on judicial ethics that developed “Canons of Judicial Ethics” approved in 1924, became binding and applicable across the country.

Article 10 of the Universal Declaration of Human Rights adopted in 1948 stated that “everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him”.

Article 14 of the International Covenant on Civil and Political Rights adopted in 1966 shaded more light on the rights of individuals over rule and equality before the laws. It goes:

All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

The above rights were expanded in the United Nations Basic Principles on the Independence of the Judiciary, adopted by the United Nations Congress in 1985 to include the following:

- (i) The independence of judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all government and other institutions to respect and observe the independence of the judiciary;

- (ii) The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason;
- (iii) The judiciary shall have jurisdiction over all issues of a judicial nature and shall have exclusive authority to decide whether an issue submitted for its decision is within its competence as defined by law; and
- (iv) There shall not be any inappropriate or unwarranted interference with the judicial process, nor shall judicial decisions by courts be subject to revision. This principle is without prejudice to judicial review or to mitigation or commutation by competent authorities of sentences imposed by the judiciary, in accordance with the laws.

In April 2000, due to the growing manifestation of judicial corruption the United Nations Centre for International Crime Prevention under the auspices of the Global Programme against Corruption established a Judicial Integrity Group (JIP). The group consists of chief justices and senior justices. The group met in Vienna between 15<sup>th</sup> and 16<sup>th</sup> April, in collaboration with the tenth United Nations Congress on the prevention of crime and offenders (Michael, 2011). The objectives of the meeting were to consider the prevalence and evidence of corruption in the judiciary; draft principles of integrity; and provide guidelines for implementation (Michael, 2011). Participants at the meeting included chief justices from Bangladesh, Karnataka State India, Nepal, Nigeria, South Africa, Tanzania and Uganda (UNODC, 2007).

In February 2001, the JIP reconvened in Bangalore, India. Justice P N Bhagwati, chairman of the United Nations Human Rights Committee established to draft the International Covenant on Civil and Political Rights. Similarly, Bhagwati had chaired Commonwealth judges held in Bangalore and drafted and adopted the original Bangalore Principles on the International Utilization of Universal Human Rights Norms (Kirby, 1988). The February meeting provided opportunity for the JIP to present the second Bangalore Principles termed the Bangalore Principles of Judicial Conduct. At the meeting deliberations and refinement were made and later adopted the principles.

The amended draft of the Bangalore Principles was presented to the 59<sup>th</sup> session of the United Nations Commission on Human Rights in April 2002, by Dato Param Cumaraswamy. On 29<sup>th</sup> April 2003, the commission unanimously adopted the principles. The principles contain six ethical judicial code of conduct or integrity. These include independence, impartiality, integrity, propriety, equality, competence and diligence (United Nations Commission on Human Rights, 2003).

Earlier than the above, following the conduct of the First meeting of the International Judicial Group on Strengthening Judicial Integrity, the Chief Justice of Nigeria, Honorable M L Uwais in conjunction with the United Nation Office on Drugs and Crime (UNODC) embarked upon a policy framework on Strengthening Judicial Integrity and capacity in Nigeria in 2001. The objectives of the policy project were to identify the types, locations, levels and cost of corruption in the judiciary in the three Nigerian pilot states; implement action plan in the nine pilot courts across the three in order to improve access to justice, timeliness and quality of the trial process, public confidence in the courts, efficiency and effectiveness in handling complaints against judges and court staff, and co-ordination among the institutions of criminal justice (judiciary,



DPP, Police, Prison Service and the Bar); ensure the sustainability of the reforms by transferring, monitoring and implementation skills and processes to the judiciaries and involving ICPC and Nigerian Institute of Advanced Legal Studies; and identify measures that could ensure judicial integrity be implemented in thirty-six states in the country (Langseth, 2003).

To implement policy framework the M L Uwais invited the 36 Chief Judges of the Nigerian state, Minister of Justice, Police, Prison Services, Customs and the Independent Corrupt Practices Commission to the First Federal Integrity Meeting. During the meeting the protocols were able to identify four major areas that require judicial reforms. These included the quality and timeliness of the trial process; access to courts; public confidence in the judiciary; and efficiency and effectiveness in dealing with public complaints (Langseth, 2003). Agenda agreed upon by the Judicial Integrity Group and within the spectrum of the four key areas already identified, the integrity group came up with fifty-seven variables that could be used as parameter to measure the attainment of the policy framework. Borno, Delta and Lagos states were selected as pilot states for the implementation of the judicial reform agenda. In addition, the Nigerian Institute of Legal Advanced Studies (NIALS) was mandated to conduct a comprehensive evaluation of the Judicial Integrity and Capacity in the identified pilot states. Furthermore, to achieve an effective assessment of the agenda implemented a methodological framework was designed. These involved a desk review of the prevalence of corruption in the judiciary; an active surveys of 5776 judges, lawyers and practitioners, court users, court staff and business community; facilitating evaluative procedures of legal and anti-corruption framework ie the Anti-corruption Act 2000, the Criminal and Penal Code Acts as well as other relevant codes and rules; reviewing institutional and organizational framework of justice system; and assessment of the court cases (Langseth, 2003),

In September 2002, State Integrity meeting for judiciaries of the pilot state was conducted. Like the Federal Integrity Meeting, the state chapter identified the core values aimed at achieving judicial integrity and capacity. To further accomplish the process various committees were established and institutionalized. They range from implementation, public awareness and training, criminal justice and administration of justice to jurisdictional review or rule and amendment committees, procurement and purchase and court user committees. The implementation of these policy levers which started in November 2002 was supported and financed by UNODC and the German Agency for Development Cooperation (GTZ). Specifically, the GTZ provided the sum of \$140,000:00 between November 2002 and March 2003. The resources were utilized for the procurement of electronic court recording machines, IT and office equipment (ie computers, printers, photocopy and fax machines), upgrading of court buildings, allowances of the various committees, organization of workshops and documentation and dissemination of the proceedings documents of the three state meetings. In each of the pilot states the following IT facilities were purchased. These include one PC/R-/1600- Canon Digital Copier, one PC metal stand, one box CEX V5 toner, one PC 2KVA Voltage stabilizer, one ream –A4 size paper, four nos. 650 VA UPS, three nos. HP LJ 1000 W, three VSB cable, four in cable, one fax machine (PCK X FP81); one fax machine (PCKX-FP85); one PC N640P Canon scanner; four CPUs and three electronic recording systems (Lagos only) (Langseth, 2003)

The Second Federal Integrity Meeting for Chief Judges was conducted in December, 2002 with the support and backings of the German Agency for Development Cooperation (GTZ). The

meeting was aimed at reviewing and discussing the evaluation of the judicial integrity and capacity project implemented in the three pilot states; share the action plan carried out by the three State Integrity Meetings with all Nigerian Chief Judges; and brief the participants at the meeting the outcomes of the implemented courses of actions. The action plans developed at the meeting were endorsed by the Chief Justice of the Federation, President of the Federal Court of Appeal and 28 Nigerian Chief Judges. The United Nations Office on Drugs and Crime (UNODC), United Nations Agency for International Development (USAID), DFID and GTZ hence forth supported the implementation of the pilot projects in the Nine States of the Federation to include Abuja FCT, Benue, Borno, Delta, Ekiti, Enugu, Jigawa, Kaduna and

In order to reduce the outstanding and congestion of cases and provide access to justice an Alternative Dispute Resolution System termed as the “Lagos Multi-Door Courthouse (LMDC)” has been established and institutionalized at the Lagos State High Court in February 2002. In addition, new case flow management procedures had been established to facilitate prompt delivery of justice. This framework was enhanced through the provision of capacity building organized by National Centre for State Courts (NCSC) for all the judges and administrative staff. The outcome of this course of action was that the time of appraisal and referral services that involved case files has been improved and delay minimized. Besides, the Lagos High Court has been divided into five Judicial Divisions ie General Division, Commercial Division, Criminal Division, Lands Division, Family and Probate Division. The structural reorganization allows the smooth case flow within the judiciary without unnecessary delays. Furthermore, the provision of electronic recording equipment to two Lagos High Courts by the NCSC and three recorders had assisted greatly in ensuring transparency in court proceedings and hastened the process of justice delivery which constitutes about 50% of the backlog of cases. The role of Directorate of Public Prosecution (DPP) and Attorney General need to be acknowledged in judicial integrity and capacity because the former appointed process servers and later provided funds to cover witness fee respectively. The two measures had motivated, encouraged and improved the number of witness attendance in the courts hence reduced unnecessary delays and adjournments of cases. There manifest the maintenance of decorum and protocol of the office of the judges due to clarion call by Chief Judge. Performance standard for judges, magistrates and court officials has improved and maintained because the standards are monitored through the use up monthly returns submitted by the courts. The returns are ascertained from the verification of the number of cases received, disposed and outstanding. The introduction of computerization in the courts has facilitated easy monitoring and evaluation of the returns from the courts. To ensure a credible complaints system one hundred and fifty-seven (157) complaint boxes had been installed in all Lagos State courts. Questionnaires had been displayed on the notice board to guide the court users to articulate their complaints. Improvements were recorded concerning the coordination between the Police and the Directorate of Public Prosecution (DPP). Indeed, Investigating Police Officers had been assigned to the DPP as liaison officers. This coordination helps in preparation of case files to be sent to DPP for necessary advice before forwarding the cases to the courts. The measures implemented had improved the working mechanisms and coordination among the criminal justice institutions.

In Borno State, numerous initiatives were introduced as policy levers to ensure judicial integrity and capacity. For instance, Television programmes had been carried out to communicate to the citizens about their basic rights and obligations and ways of obtaining access to the court system.

This role had been facilitated by the judges. Through the television programmes public has been encouraged to assist the judiciary in curbing judicial corruption. Along the line, the public has also been encouraged not to temper with the due process of the judiciary. Equally, they ought to have reported any incidence of judicial corruption that becomes manifest in the system. Information regarding the bail procedures has been communicated to the general public through the television programme. These activities provide access to court and justice in the judicial system. Furthermore, a review of court rules and procedures was conducted by Jurisdictional Review Committee and demarcated the jurisdiction of magistrate, upper and lower sharia courts. This helps in reducing the case load of the higher courts. To enhance public awareness and strengthen confidence in the courts capacity building in form of seminars were conducted in Borno. For instance, the Deputy Governor opened a seminar where public confidence in the court was discussed with a view to strengthening judicial capacity. Similarly, on the 11<sup>th</sup> December 2002, the Chairman of the Public Complaints and Training Committee and the Criminal Justice Committee at a press conference at the Nigerian Union of Journalists House in Maiduguri highlighted the activities and initiatives to the general public in order to strengthen judicial integrity and capacity. Relevant to strengthening judicial integrity and capacity in the state was the establishment of credible complaint system. Thereto, complaint boxes were installed in all the courts in the state to enable the citizenry express their satisfaction and dismay on how judicial administration is carried out. Their suggestions serve as a policy levers for reviewing the existing plan of action. Importantly, is the fact that the Borno Branch of the Nigerian Bar Association had set up a committee to investigate the allegations of judicial corruption against the lawyers and prescribe necessary disciplinary actions on those found wanting.

In a weekly radio programme entitled “Know your Rights” initiated by the Honourable Chief Judge of Delta state, lawyers in collaboration with the Complaint Committee educate the general public about their fundamental human rights as court users. In addition, the programme was aimed at giving the court users the opportunity to ask questions regarding their access to court and how it could be utilized. This programme has greatly enhanced the tempo of knowledge of the public on how to access court and its administrative procedures. Case lists are being published on the notice boards across the state on weekly basis. This enhances transparency and facilitates smooth hearing, adjournment and ruling of cases as well as saves time that would have been wasted in attending issues related to the courts procedures and administration. The Honourable Chief Judge has also developed indicators in order to assess the performance of judges and magistrates which are submitted to his office on monthly basis. Within the 25 judicial divisions in Delta State public complaints boxes have been installed in all the courts. The suggestions made by the public had been constantly reviewed by the Implementation and Complaints Committee and the follow-up alternative courses of actions to be taken to improve the performance of the judicial staff have been put in place. This policy framework assists in inculcating the spirit of some level of discipline and strict adherence to the laid down court procedures by the judicial administrators. Therefore, a policy levers for strengthening judicial integrity and capacity has been the establishment of a credible complaints system in the state. Significantly, Judicial Staff who violate judicial ethical code of conduct are promptly meted out punishment according to the gravity of the offence. Coordination and cooperation across the criminal justice system has been achieved in the state through the launching of the First Bar-

Bench Forum in December 2002 that integrates lawyers in the judicial reform agenda. The measure aimed at emphasizing on the need for the provisions of cost benefit analysis for applications and adjournments. At the Second Forum the discourse has been the implementation of disciplinary actions against corrupt lawyers. Furthermore, Police-Judicial Reform has been carried out in the state to identify and proffer solutions that hinder effective judicial administration.

With the support of NCSC and USAID, Kaduna State Judiciary was able to review and revise certain court rules and regulations. For instance, request tendered by the judges for adjournments had been reviewed thus limited to a maximum period of two months. By implication, the policy framework has reduced unnecessary delays in court trials. In addition, court fees in civil matters have been increased since the current are too low and meager. The adoption of electronic court recording equipment had been agreed upon and on the way for implementation. Underway has been the effective planning for the expansion of the jurisdiction of lower courts in order to reduce the backlog of cases in the High Courts. Furthermore, numerous categorizations of cases flow management systems had been introduced in Kaduna State Judiciary. The system allows the allocation of cases to specialized judges on case type basis. Indeed, cases area classified according to fast, medium and slow track.

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