CHALLENGES OF GENDER-BASED VIOLENCE IN NIGERIA AND VIOLENCE AGAINST PERSON PROHIBITION ACT 2015 IN NIGERIA

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Abstract

The increasing rate of Gender Based Violence (GBV) in Nigeria is alarming and it has since the last two decades become a universal concern that calls for domestication of all International and Regional violence and human right laws in Nigeria. The prevalence of GBV has made researchers focus more on the causes, nature and dimensions of the violence and tend to overlook, as a major source of concern the issues of the shortcomings and gaps of the existing legal framework of countries. The central concern is, to what extent are the existing legal framework in Nigeria aimed at reducing violence prevalence? Why are they weak and discriminatory in sanctions? To address this gap, the thrust of this article is to focus on better understanding of the challenges attributed to the implementation of the newly promulgated VAPP law 2015, and as it bears relevance to the issue of violence against women. The study, therefore, relies on the use of exploratory research based on a desktop literature survey. It reviewed literature related to the study area. The paper found that the law will face great challenges as it was promulgated at the time of transition from one administration to another made up of different political parties and ideologies. Along with this, is the issue of dwindling constraints of funding that affects the establishment of government regulatory body. It suggests for expanding the mandate of the similar existing body to act as an interim regulatory body for the implementation of the law at present.

Keywords: GBV, Women, VAPP, Domestic violence, Penal Code

Introduction

According to a 2013 global review of available data and some national studies, 35% and 70% of women worldwide have experienced physical, intimate partner or non-partner sexual violence, 40% to 50% women in European countries experienced unwanted sexual advances, physical contact

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or other forms of sexual harassment at work. In the USA 83% of girls in grades 8 through 11 (aged 12-16) have been victims of some form of sexual harassment in public schools (UN Women, 2014), child victims are 20%-30% and men are about 6.1% (WHO, 2009). More so a decade of cross-sectional research in countries like South Africa, Rwanda, Tanzania etc and more recently, India, has consistently found women who have experienced partner violence to be more likely to be infected with HIV and 11.8% of new HIV infection in more than 20 years old women in the U.S. were attributed to intimate partner violence. Additionally, 133 million women and girls were found to have undergone some form of Female Genital Mutilation (FGM) in 29 African countries and the Middle East where the harmful traditional practice is most common (UN Women, 2014). The above statistics indicate a high incidence of gender violence among women followed by children. Unreported cases of Violence against women have been on the rapid rise. In an interview with 42,000 women across 28 member state of the European, only 14% and 13% of the women with a serious incident of intimate partner / non-partner violence reported the case to police (UN Women, 2014).

Globally, women and children constitute the highest population and the need to adequately cater for them in order to sustain peace and stability in the family. Hence, the worldwide goal is aimed not only at preventing but eradicating violence at all levels (family, community, society) for a better world. To achieve this goal, many international and regional laws inform of charter, treaty, protocol and instruments have been adopted for decades to address the menace of gender violence and abuse of human right in particular women and children. For instance, the Convention on the elimination of all forms of discrimination Against Women (CEDAW), The Beijing Declaration and Platform for Action, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa and the UN Security Annual Resolution 1325 on Women, Peace and Security were all ratified. Since then International/ regional organisations, women’s advocacy groups and other human rights advocacy organisation have for over 2 decades been working round clock to address the menace of violence. All these together with various national laws have not reduced the incidence of Gender Based Violence especially in Africa and some Asian region.

Statement of problem

Talks on Gender-Based-Violence (GBV), particularly on women and children, is gaining ground in Nigeria where females who constitute more than half of the population experience gender-based social injustice which prevents full exploration of their potentials (Bakara et al, 2010). For instance, a study estimates that about 19% of women in Nigeria aged between 15-49 years have undergone some form of Female Genital Mutilation (FGM) (UNICEF 2004 in LACVAW, 2005), be it the removal of some part of the clitoris or the whole external genitalia. The prevalence is estimated to be as high as 41% and 60% in southeastern and western part of the country respectively, and as low as 1-
3% in the Northeast. 10% of women aged 15-49 years reported having at least one of their daughters circumcised, in most cases, during infancy (LACVAW, 2005). Mahdi (2010) asserted that current laws in Nigeria protecting persons, especially women and girls from violence are absent, weak, inadequate and discriminatory with stringent standard proof. Indirectly, the existing laws endorse GBV violence which is also socially tolerated on the basis of cultural constructs of the power between men and women, boys and girls in spheres of life. In the same vein, a gender activist asserts that culture of silence, weak laws and lack of support for victims of violence against women and girls are some reasons for the increase in the crime (Channels TV, 2014). The rationale for the creation of Violence against Persons Prohibition Bill is the high prevalence of violence at every hour where 3 out of 10 women (LACVAW, 2014) suffer domestic violence coupled with the weakness, inadequacy and discriminatory nature of previous and current laws. Such laws and statues, for instance, the Criminal and Penal Code, Evidence Act, Police, Labour and Inheritance Law among others do not adequately protect the fundamental rights of a person, especially women. This gingered many civil societies, human right and women activist groups through various means and instruments to ensure adoption and ratification of various Charter, convention and protocol (FGN, 2006, WRAPA, 2009) on GBV and women’s rights in order to eliminate various forms of violence.

Instruments like policies formulations and development, programme design and execution, advocacy, education, sensitisation programmes, support to victims, lobby for a legal framework or strengthening the existing ones have reawakened the society to the serious and adverse consequence of GBV particularly, on women and children who are vulnerable and at more risk of violence. The form of violence they face usually lead to physical and emotional injury or death in some cases (WHO, 2005) in (Abayomi, 2014). To address this gap, the thrust of this article is to focus on better understanding of the challenges attributed to the implementation of the newly promulgated VAPP law 2015, and as it bears relevance to the issue of violence against women.

Literature review

The concept of Gender Based Violence (GBV), Nature and forms

The UN General Assembly, in adopting the 1993 declaration on elimination of violence against women defined GBV as “any act of GBV that results in or is likely to result in Physical, Sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or in private life (WRAPA, 2004, LACVAW, 2005 WHO, 2009, Mahdi, 2010)”. The AU Protocol has provided a broader definition of violence against women to consist violence at peace and war time. It regards violence against women as “all acts perpetrated against women who cause or could, psychological, and...
economic harm, including the threat to take such acts, or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of conflict of war” (WRAPA, 2006).

Patriarchy and reluctance to change family dynamics with traditionally less communication and gender inequality have been a contributing factor to GBV (WHO, 2009). WHO therefore claimed that a patriarchal society in which high communication in gender equality exists tends to reduce GBV prevalence to about 50% as found in Indonesia in the year 2008. In South Asia, the more and frequent killings of baby girls at the conception stage, sex-selective abortion or the premature death of girls through violence tends to reduce women population to fewer than 50 million. In addition to this, millions of women and girls are neglected through sex discrimination where they have less food to eat, denied education, are forced into dowry marriages, and have little or no access to health facilities (Oxfam, 2004). According to World Bank (2005), Nigeria is a highly patriarchal society, where men dominate all spheres of women’s lives. Women at community and household levels carry a subordinate position and male children are preferred over female children. The influence of parents is particularly significant in shaping and penetrating patriarchy where the mother provides the role model for daughters and the father demonstrates to sons what it means to be a man (FGN, 2006). People argue that male child preference over the female has no basis in Islam because the religion has provided equal treatment for both in terms of love, care, education and more. Contrary to common beliefs, Islam raised the status of woman and gave her human, civil, social, and economic rights never previously given to her. It has specifically given her right to life.

A Muslim woman has an independent personality, equal to man in religious duties, in the right to education in reward for her deeds as well as in defending her beliefs. For instance, a woman has to acquire wealth/property as well as decide on what to do with it. A Hadeeth was reported by Muslim and narrated by Zaynab al- Thaqafiyya, wife of Abdullahi Bn Masud that the Prophet Sallahu Alaihi Wasallam (SAW) told women to give out in charity even if it is some of their jewellery. Hearing about this, she (Zaynab) one of Ansar women went and asked the Prophet SAW if it is permissible for them to give charity to their husbands (who are poor) and the orphans in their care. The Prophet SAW said they will have two rewards for upholding the relationship, and the reward for giving charity. Allah says in His Glorious Quran chapter 33 verse 35 “Indeed the Muslim men and Muslim women, the believing men and believing women, the obedient men and obedient women—- and the men who remember Allah often and the women who do so- for them Allah has prepared forgiveness and a great reward”. People also argue that GBV also prevails more in the developed societies where patriarchal culture does not exist. For instance, a study conducted showed that the most pervasive form of gender violence is an abuse of women by intimate male
partners. The review of 50 population-based studies in 36 countries showed that 10 to 60% of women who have ever been married or partnered have experienced at least one incident of physical violence from a current or former intimate partner and the vast majority of partner abuse is perpetrated by men against their female partners (Heise et al, 2002). Similarly, a study carried out UN Women (2014) showed that in 2009 in Australia, the estimated cost of intimate partner and non-partner violence against women and children from 2007-2008 stood at AUD 13.6 billion per year. This figure includes direct and indirect individual and public cost related to suffering, health, legal and employment expenses among others.

The culture of silence and stigma in Gender Based Violence (GBV) undermines the health, dignity, security and autonomy of its victims, yet it remains shrouded in a culture of silence (UNFPA, 2015). This often hinders public announcement of GBV globally, especially in the Africa and the Middle East. Reasons for the denouncement of violent cases by victims can be attributed to fear of stigmatisation, the threat from perpetrators and cultural justification. GBV is a profound health issue sapping woman’s energy, compromising their physical health and eroding their self-esteem. In addition to causing injury, violence increases women’s long-term risk of a number of other health problems including chronic pains, physical disability, drug and alcohol abuse and depression. Violence against women and children particularly domestic and rape is widespread and has increased the vulnerability of women to HIV/AIDS (Heise et al, 2002, FGN, 2006). India, for instance, faces a growing epidemic and already the second-highest number of people living with HIV/AIDS (Watson, C.; Harding, J. H. & Harper, C., 2013).

Scholars have categorised Gender Based Violence into- domestic, physical, psychological, sexual, economic and harmful traditional practices. Domestic Violence is said to be the most prevalent form of gender violence that occurs within families when a man beats his female partner (Taylor, 2012). Traditionally, domestic violence is committed against women. Common forms of domestic violence in Nigeria are rape, acid attacks, molestation, wife beating and corporal punishment. According to UN Women (2014), a recent estimate of the cost of domestic violence against women at the household to the economy in Vietnam suggest that both out of pocket expenditure and lost earnings represent nearly 1.4% of GDP where an estimate of overall productivity loss comes to 1.8% of GDP. Similarly, study carried by UNODC on Global Study on Homicide in 2013 estimated that of all women killed in 2012, almost half were killed by intimate partners or family members.

Psychological/emotional violence refers to verbal attack or actions that humiliate and cause fear destroy or harm a woman’s or victim’s belief in her. It is intent to demean, disempower or undermine a victim’s mental or emotional wellbeing. This can be in form of the threat of harm (against the
victim or others important to her), public ridicule, intimidation, forced imprisonment, isolation, threatening to take children away from the victim etc. Akunga (2006) teasing, threats, sexual harassment, sexual violence and rape suffered travelling to and from school, on school grounds or in the classroom, often go unnoticed and unpunished, and result in exclusion, poor performance and emotional trauma and exacerbate problems of early pregnancy and the spread of HIV (Watson et al, 2013).

Physical and sexual violence – Physical violence is an act that includes bodily harm, beating, kicking, punching, burning, arm twisting, cutting, use of a weapon (object, knives, gun), poisoning or chemical substance are all part of physical violence. Sexual violence include rape (individual or gang), sexual slavery, sexual harassment and use of threat or coercion to have sex (demand for sex in exchange for job, promotion or school advancement), trafficking for sexual exploitation, forced pregnancy, forced sterilisation or abortion, forced marriage, FGM, incest, unconsented to touch of sexual part of the body, forced exposure to pornography, the use of violence during sexual relations etc. A study by UNFPA (2015) indicated that women who have physically or sexually abused are 16% more likely to have a low-birth-weight baby. They are more than twice as likely to have an abortion, and, in some regions, they are 50% more likely to acquire HIV.

Economic violence includes withdrawal of financial support, denying access to family economic resources, preventing ownership of property, forbidding employment/occupation, holding welfare provisions, running up bills for which the victim is not responsible for payment and preventing a partner to be part of economic decisions of the household. It is stated that regional and national contexts also set parameters on overall economic opportunities, with gendered dynamics often operating therein: hence, after decades of economic growth in Eastern and Southern Asia, women’s labour force participation has grown, while in many countries of EA poverty has constrained economic opportunities for women and men alike. Literature from all regions, however, indicates that adolescent girls are not being provided with the assets and opportunities (including training) needed for their equal participation in the labour force, and gendered divisions of labour within the household contribute to their ‘double burden’ (Waston et al, 2013).

Harmful traditional practices relate to rituals, traditions or cultural practices that have a prejudicial effect on the health, physical and psychological integrity, or the full exercise of human rights. Primarily directed at women, they violate their dignity, for being degrading or limiting their independence and future opportunities. It is reported that female genital schistosomiasis (especially of the lower genital tract) has been identified as an important co-factor in HIV transmission in rural areas of Africa where haematobium and HIV/AIDS are co-endemic (Hotez, 2009). UNICEF argued that beyond extreme physical and psychological pain, girls who undergo FGM
are at risk of prolonged bleeding, infection (including HIV), infertility, complications during pregnancy and death (UN Women, 2014).

**Theoretical Framework**

**The Feminist Theory**

This theory is the extension of feminism into theoretical and philosophical discourse aimed at understanding the nature of gender inequality (Wikipedia, 2015). It explores issues relating to discrimination, objectification, patriarchy, oppression etc. The theory is philosophical, derived from feminism (belief in social, economic and political equality of sexes) (Melanie L., Anthony G. & Zuflo 2008), aimed at understanding the nature of gender inequality. It specifically examines women’s social roles, experiences, interest and feminist politics in the varied field such as economics, sociology, communication, legal, education, literature, psychoanalysis etc. This work, therefore, adopts gender oppression and legal feminist theories. The gender oppression theory goes beyond theories of gender difference and gender inequality by arguing that not only are women different from or unequal to men, but that they are actively oppressed, subordinated, and even abused by men. Oppression takes many forms such as exploitation, marginalisation, powerlessness, cultural imperialism, systematic violence (young, 1990); and sexist or racist oppression manifest in different ways and context e.g. through systematic violence or economic exploitation (Stanford, 2003). Power, according to this theory is the key variable to psychoanalytic feminism and radical feminism.

Psychoanalysts like Kristeva, Ettinger and Irigaray in Zajko (2006) attempt to explain power relation between men and women by reformulating Freud’s theories (Wikipedia, 2015) of the subconscious and unconscious, human emotions, and child development. They feel that conscious calculation cannot fully explain the production and reproduction of patriarchy. They believed that gender inequality comes from early childhood experiences, which lead men to believe themselves to be masculine, and women to believe themselves as feminine. That gender leads to a social system that is dominated by males, which in turn influences the individual psycho-sexual development. The radical feminist argued that patriarchal societies where women are oppressed do not acknowledge a woman as a positive thing in and of itself. They identified physical violence as being at the base of patriarchy and can be defeated if women recognise their own value and strength, establish a sisterhood of trust with other women, confront oppression critically and form a female separatist network in private and public spheres.

They critique the official conceptions and definitions of violence, which are viewed as male centred and incapable of incorporating the full range of female experience of violence (i.e. from intimidation and coercion to physical violence and death). Hammer (1981) regarded a women-centred violence as a form of social domination rather than a random and/or non-
instrumental form of expression (Simpson, 1989). For instance, they reframed the way rape is commonly understood in our society from regarding it as crime of sex to be viewed as one of the male power, control and domination (Greer, 1970); a tool in the arsenal of all men to control all women (Brownmiller, 1975) in (Simpson, 2008). They further argued that aside rape, incest, battery, sexual harassment, pornography, are other forms of victimisation that are uniquely feminine (Finkelhor, 1979; Dobas et al, 1979; Mackinnon, 1979; Dworkin, 1981; Wilson, 1985 in Simpson, 1989). Radical feminism argued on how gender issue on violence consciously or inadvertently influence police and court decisions. For instance the decision to arrest can be influenced by influence of extra-legal factors such as the demeanour of the offender, and variation in sentences may be related to counter type offence, that women are treated more harshly when processed for non-traditional female crimes like assault (Black, 1980; Bernstein et al, 1977; Nagel et al; 1972 in Simpson 1989). On the other hand, the feminist legal theory led by Dalton (1992, 1993) is based on the feminist view that law’s treatment of women in relation to men has not been equal or fair. The goals of the theory consist of understanding and exploring the female experience, figuring out if law and institutions oppose female, and figuring out what changes can be committed to. This is to be accomplished through studying the connections between the law and gender as well as applying feminist analysis to concrete areas of law (Wikipedia, 2015).

The National Violence against Persons Prohibition Bill 2008

The rationale for VAPP is that statistics show that 3 out of 10 women every hour of the day suffer domestic violence. Women in Nigeria suffer a number of discrimination even under statute books and common laws – Criminal Code, Penal Code, Evidence Act, Police, Labour Law, Inheritance Law, Matrimonial Case Act among others (LACVAW, 2014). As at 2006, the Act available was the Domestic Violence Protection (DVP) Bill 2006 which only had its first reading in the National Assembly while, only 4 out the 36 States of the federation passed the Law. Lagos State passed the law but since being passed, the law has rarely been tested by victims of domestic violence (Taylor, 2012). Enugu, Ekiti, Edo, Cross River, Adamawa, Kaduna have varied gender-related legislations passed or advanced or on legislative processing. Imo State House of Assembly has passed The VAPP Bill (LACVAW, 2011).

The law seeks to eliminate or reduce to a minimum the occurrence of GBV in Nigerian society especially in homes, public spaces or even in conflict resolutions. It protects the rights of Nigerians against violence, especially against women and children. It aims at the address the gaps in current laws on violence in public and private spaces. Specifically, it is aimed at responding to old and emerging forms of violence, in Particular, gender-based violence. The law is a product of an inclusive and consultative process and presents a harmonised legislation that incorporates 9 other Bills presented
before the National Assembly of Nigeria from 1999 – 2008 and it contains six parts including its schedules and has about 318 provisions in 51 sections (LACVAW, 2011). Part one, two and three contains offences, the jurisdiction of the court and service providers respectively. While part four and five, each concerns regulatory body, consequential amendment and interpretation. Part six is schedule.

**Acceptability of the VAPP (2015) BILL**

i. It is gender neutral thus affirming the fact all persons suffer some form of violence and thereby respond to concerns raised on not to focus only on the woman.

ii. It identifies and defines all forms of violence in line with reality and experiences in Nigeria and the country’s obligations under international and regional treaties especially CEDAW, the African Union Protocol on the rights of women and the Rome Statute.

iii. It consolidates (realigns) the provisions of the Penal Code/Criminal Code/ Evidence Act etc to respond to current forms of violation and circumstances.

iv. It provides for institutional arrangements to facilitates and enhance access to justice and protection from further abuse through enforcement of protection orders to limit further abuse.

v. It clearly allows specialised roles for line institutions such as social welfare departments, hospitals, religious institutions, the police, civil organisations and other law enforcement agencies. This ensures accountability of the said agencies and institutions.

vi. In order to underscore the accountability index for perpetrators, the Law provides for severe punishment of convicting rapist and other sexual offences.

vii. It has also provided for compensation for rapist victims and other support for survivors of violence in recognition of the limitations of such awards in the existing laws.

viii. It provides an extension of ‘Locus Standi’ to empower other persons and institutions to seek redress on behalf of abused persons, who often lack the will or competence to seek redress, especially on domestic issues.

ix. The Law has strongly recognised the preservation of family values by providing for the intervention of family structures.

x. It has suggested for the establishment of an agency and Trust Fund to seek and deploy resources to support the rehabilitation of GBV victims and to also monitor the implementation of VAPP Law.

**Weaknesses and discrimination of gender violence law in Nigeria**

Nigeria national laws, for instance, the Penal Code (PC) and the Criminal Code (CC) do not adequately define crime, its level, or parties to the crime. What they consider are the actual perpetrators. Similarly, they have not provided adequate remedies to victims of violence as well as stringent punishment to perpetrators in order to allow peace and justice prevail and to
underscore the scale of abuses. For example, section 55 of the Penal Code in Northern states allows the correction of child, pupil, servant or wife as long as it does not amount to grievous harm. Similarly, section 295 of the criminal code in the South States recognises the resort to some degree of violence for correctional purposes. The question to ask is what category or level of correction can be allowed? What has been the remedy in the event the door overreacts (i.e. inflicting physical injury) to the affected?

Section 248 of PC stipulates that whoever uses a weapon or substance (heated, corrosive, explosive), electricity, or by means of animal etc, causing grievous hurt shall be imprisoned for 14 years or be liable to fine. Section 21 of the VAPP Law provides life imprisonment without an option of fine. It also provides a maximum of 25 years imprisonment each and without the option of fine to the person that attempts, incites, aids, abets, counsels and accessory. In section 249, the P C provides a term of 10 years or fine for administering a substance to overpower that person to enable any person to engage in sexual activity with that person, while the VAPP Law (section 22) provides a term of 10 years or a fine of ₦500,000.00 or both.

Section 263 of the Penal Code provides 1-year imprisonment or a fine or both for assault or criminal force that did not cause grievous hurt. In the case of serious injury, 3 years imprisonment or fine or with both is provided. But the VAPP Law has in section 2 provides for Maximum of 5 years imprisonment, or a fine not exceeding ₦100,000.00 or both for the offender. It has also provided for the person that attempts, or who incites, aids, abets, counsel, and who receives or assist (accessory) a maximum of 3 years, or a fine of ₦200,000.00 or both for each of the offender.

Section 282 of the Penal Code (PC) has defined rape as having sexual intercourse with a woman, excluding a wife, if she has attained puberty. Also, mere penetration is sufficient to constitute sexual intercourse necessary to the offence of rape. The argument in the VAPP Law provision is that a man can decide to have unnatural (e.g. through the anus) intercourse with his wife with or without her consent and this act can be considered a rape. The Law has in Part 1 section 1 expatriates the definition of rape to mean a person intentionally penetrates the vagina, anus, or mouth of another person with any other part of his/her body or anything else (it can be a finger, tongue, mouth, or object). The PC stipulates that the offender of rape shall be imprisoned for a term which extends to 14 years and shall also be liable to fine (Penal Code, 2009). The ‘extend’ here can mean days, months up 14 years or just a fine, while the VAPP Law provides for life imprisonment without the option of fine. It further provides a minimum of 14 years, 20 years, and 12 years each without the option of fine for persons less than 14 years, gang rape and all other cases.

Sections 390 and 285of PC provides a term of 7 years or with fine each for incest and gross indecency offences respectively. While the VAPP Law (section 25 and 26) provides for a maximum of 5-year imprisonment
without fine for incest and not less than 1-year imprisonment or to a fine not exceeding ₦500,000.00 or both for indecent exposure.

**Challenges of the VAPP (2015) Law**

The law will face great challenges as it was promulgated at the time of transition from one administration to another made up of different political parties and ideologies. Along with this, is the issue of dwindling constraints of funding that can both affect the establishment of Agency and Trust Fund on Violence Against Persons to serve as a regulatory body, as well as the mandate given to National Agency for Prohibition of Trafficking in Persons and other related matters (NAPTIP) to serve as interim regulatory body. The law suggests that the agency and Trust Fund seeks to deploy resources to support the rehabilitation of GBV victims and to also monitor the implementation of VAPP Law.

The extension of ‘Locus Standi’ provided in the law empowers other persons and institutions (service providers and protection officers), to seek redress on behalf of an incompetent or lack the will abused persons. In addition to this, the service providers (accredited civil societies) offer supportive services, and the protection officers (government officials) assist the court in discharge of its duties and coordinate the activities of police and the service providers. The culture and family life practice in most part of the country can pose challenges through disempowering the Locus Standi, especially in domestic issues. In many societies, a wife is expected to be subservient to her husband and this has fostered acceptance of domestic violence as part of married life and private affair to be dealt with in the family mostly, by a husband or his relations. As such women and girls, victims tend to be silent and submissive to the dictates of family members if they are against the Locus Standi.

The law provides for institutional arrangements to facilitate and enhance access to justice and protection from further abuse through enforcement of protection orders to limit further abuse. The corrupt practices of law enforcement agencies; the daily commit of violence by the police in home, office and even in detention; the police and court dismissal of domestic violence cases as a family issue and refused to investigate or press stringent charges to deter further crimes; the delay proceedings by courts among others are issues need to be strictly monitored to ensure compliance with the law.

Lack of political will from leaders, civil servants and other decision-making bodies as well as community interest can affect the effective implementation of the law. It can serve as a stumbling block to the passage of the similar bill in all states of the federation. Rigorous advocacy, lobby, enlightenments needs to done. Where there is a need, a review of some parts of the law in accordance with the peculiarity of the states to make it adaptable should be considered.

**Conclusions**
The VAPP (2015) Law was promulgated at the time of transition from one administration to another made up of different political parties and ideologies. Along with this, is the issue of dwindling constraints of funding that can both affect the establishment regulatory body or the early takeoff and smooth operation of the interim body. Moreover, the culture and family life of the society where domestic violence is considered a private life can affect and disempower the roles of service providers and protection officers. Similarly, lack of political will of leaders and government officials, community members; the corrupt practice and violence in law enforcement agencies and the nature of executing violence cases by police and courts can hinder effective implementation of the law.

The VAPP (2015) Law consolidates and realigns the provisions of the Penal Code/Criminal Code to respond to current forms of violation and circumstances. It has therefore succeeded in addressing the gaps in current laws on violence in public and private spaces in the country. As such, some states such as Lagos has passed the bill while others such as Plateau, Cross River, Edo, Enugu, Ekiti, Kaduna and Adamawa have varied gender-related legislations passed, advanced, or on early legislative processing.

**Recommendations**

In line with the summary and conclusions reached, the makes the following recommendations:

i. The government should in earnest set up the Agency and Trust Fund on Violence Against Persons regulatory body as soon it is financially capable. It should for now set all machinery in motion to allow for National Agency for the Prohibition of Trafficking in Persons and other related matters to serve as interim regulatory body

ii. There should long-term behavioural change in citizens’ perception and community orientation towards women’s rights. Communities should accept GBV a threat to human life and dignity hence, a social responsibility for all to support victims in seeking redress and to assist in punishing perpetrators. This will eventually lead to the eradication of violence in our society.

iii. The government should exhibit higher political will by supporting proper implementation of the law. It should allow all machinery work in accordance with the provision of the law and assist in correcting or punishing offenders who contravene the law.

iv. The government should ensure that provisions contained in the new law supersede any other provision of similar offences in the Criminal Procedure Code, Penal and Criminal Code and another statute. This will intensify operation of the law.

v. State governments who are yet to pass the bill and do not have a legal framework that adequately and without discrimination addresses, cases of all kinds of violence against persons should equally respond. This will
ensure peace, security and improve human life especially the vulnerable and weak.

vi. Lastly, the paper recommends for more advocacy, sensitisation, activism, and education of public, all stakeholders about sensitivity and the need to honour and respect human right at all level and in whatever situation and offer maximum support in order to have zero tolerance to GBV in the country.

**Reference**


LACVAW, (2011). Fact-Sheet- Violence Against Persons (Prohibition) Bill 2011: Published by UNICEF.


The Holy Quran Chapter 33 verse 35.


