

**REPORT OF THE STAKEHOLDERS REVIEW & VALIDATION WORKSHOP
ON THE AMENDED CHILDREN & YOUNG PERSONS BILL
HELD AT MDI, DUTSE 20TH & 21ST JUNE 2016**



JULY 2016

Author:

Aishatu Suleiman Jahun

Co-ordinator

VOICES4JUSTICE(V4J)

Executive Director

BABA AZIMI FOUNDATION (BAF)

CONTENT	PAGE
Abbreviations	2
Acknowledgement	3
1. Introduction and Background	4
2. Opening session	5
3. Presentation sessions	5
4. Comments, observations and questions	7
5. Advocacy strategy	10
6. Closing session	10
7. Challenges	11
8. Conclusion	11
9. The way forward for V4J	11
<i>Appendices:</i>	13
<i>Annex A: Workshop agenda</i>	13
<i>Annex B: List of Participants</i>	14
<i>Annex C: Draft Jigawa state Children & Young Persons Amendment Bill 2016</i>	15

Abbreviations:

ADEF	Arewa Development and Empowerment Foundation
BAF	Baba Azimi Foundation
CON	Change Organization Nigeria
CPN	Child Protection Network
DCR	Deputy Chief Registrar
FOSADD	
HC	High Court
JGCOU	Jigawa State Council of Ulama
JICOWA	
JSLRC	Justice Sector & Law Reform Commission
HOA	House of Assembly
HOS	Head of Service
MODEV	Mothers for Development
MOE	Ministry of Education
MOH	Ministry of Health
MOI	Ministry of Information
MOJ	Ministry of Justice
MWASD	Ministry of Women Affairs and Social Development
MULAN	Muslim Lawyers Association of Nigeria
NBA	Nigerian Bar Association
NPFJG	Nigerian Police Force Jigawa command
PADAC	Partnerships for Development Action
PMP	Project Monitoring Project
SC	Save the Children
SCA, JG	Sharia Court of Appeal, Jigawa state
SSG	Secretary to the State Government
V4J	Voices for Justice

Glossary:

<i>Almajiri</i>	A Student or ward of local Qur'anic school
<i>Malam</i>	The teacher and proprietor of a local qur'anic school
<i>Tsangaya</i>	A term used to describe Local qur'anic schools otherwise called <i>Makarantar allo</i>
<i>Dan jagora</i>	Any child who is used as a lead by persons with disabilities for begging purposes in public places
<i>Yan jagora</i>	The plural term for <i>dan jagora</i>

Acknowledgement

*The Voices4Justice Platform would like to extend its deepest appreciation to **HAJIA LADI IBRAHIM DANSURI, the Honorable Commissioner of the Jigawa State Ministry of Women Affairs and Social Development** and SavetheChildren's Advocacy & Communications Jigawa state Office without whose determined, deep commitment and timely support the stakeholders review would not have been possible.*

1. Introduction and Background

- 1.1. This activity is a follow-on action to a review of the current state law on children and young persons. The review primarily assessed gaps within the existing framework in relation to ensuring greater protection for children and their rights. A draft has been developed using the Child Right Act as a working document adopting additional provisions which guarantee children's rights to survival, protection and development in various ways. Support for the draft and further validation is required to be done by stakeholders in order to ensure utilization of the framework in the future. In the past a similar framework had been developed and passed into law but was never implemented during the years that it existed and ultimately repealed by the JGHOA then due to strong beliefs that western ideas were being promoted in the law as opposed to provisions ensuring protection of our children. An advocacy has been conducted in June 2016 where a number of stakeholders were engaged on the need for having such a framework in the state and were additionally mobilized to be champions for the law and further facilitate a quicker validation of the draft bill.
- 1.2. The review was done by VOICESforJUSTICE(V4J); an advocacy platform comprising of 15 civil society organizations, led and coordinated by Baba Azimi Foundation(BAF). A number of activities had been identified to be undertaken with the view to ensure acceptance of the new proposals made in the amended bill. Amongst these activities is a stakeholders' review and validation workshop where the proposed bill is to be further reviewed by stakeholders and proposals approved before a final document is submitted to the House of assembly for passage into law.
- 1.3. In June 2016, V4J with the support of Save the Children, Jigawa Advocacy and Communication's office held a two-day Stakeholders review and validation workshop of the Amended Children and Young Person's law. The meeting brought together representatives of key MDAs and a number of observers from Civil Society organizations across the state. The meeting took place at the Manpower Development Institute, Dutse on the 20th and 21stJune 2016.
- 1.4. The purpose of the workshop was to enable participation of stakeholders in the review exercise of the Children and Young Persons Law; which is the major regulatory framework relating to children in the state. But more importantly the goals of the workshop include sensitizing and mobilizing stakeholders on the various rights of children and engaging them for increased recognition of children's rights to survival. Protection, development as well as engage them on issues most concerning to children in the state. In addition, the review and validation exercise is expected to serve as additional advocacy for legislative reform relating to administration of criminal justice,

review of provisions relating to childcare, safe spaces, punishments for different forms of violence against children etc.

- 1.5. It is hoped that the meeting would also provide additional opportunity to share experiences, exchange information and look at common problems affecting children that the amended law is trying to address, such as violence issues like sexual violence, street children, better health and education for children etc with a view to agree and support change in these areas. The Workshop agenda and the Attendance List are attached as Annexes A and B respectively.
- 1.6. Whilst this is the first wider stakeholder consultation meeting held on the new proposals, it is expected that at least 3 more consultations would be conducted within the next quarters which include an exclusive sensitization and review with the members of the state's House of Assembly in order to ensure support for the bill as well as facilitate quick passage at the House.

2. Opening session

- 2.1. Aishatu Suleiman Jahun, the V4J Coordinator/Executive Director BAF and Othniel Khigir, Save the Children's Advocacy & Communications Officer, Jigawa state welcomed the participants and gave the broad background to the meeting. The main points raised during the various discussion sessions that followed are set out below:

3. Presentation sessions

- 3.1. The bill was presented in segments/ parts by resource persons. Parts 1, 10,11,12,13,14,20,21 and 22 were presented by Barrister Sabo Sulaiman, Deputy Chief Registrar of the Jigawa state Sharia Court of Appeal (SCA). These sections provided generally and specifically instances or acts which violated children's' rights to violence, exploitation and abuse. The sections also reviewed the penalties for these acts if persons are found guilty of. In addition, there were proposals where government and other stakeholders are obligated to ensure greater protection of children by establishing specific mechanisms and systems which ensure this step. Parts 15 to 19 which generally dealt with provisions relating to processes and procedure to be followed when assessments need to be conducted in order for the court to grant orders for the care and supervision of children affected by violence or in need of care, were presented by Barrister Suleh Umar, the Director Public Prosecutions, Jigawa state Ministry of Justice (MOJ).
- 3.2. Key highlights of the new proposals in the bill include-
 - Provisions guaranteeing children's right to a name, which in rural areas many people are ignorant of the significance of this right; birth registration and dignity of the child. In practice children are not recognized to be entitled to these important

rights as such many children's ages are not known and as a result of indignity they are subjected to customary practices of almajiranci, hawking, exploitative labor etc

- Inserting provisions which guarantee every child's right to protection from forced or exploitative labor e.g. domestic work not within the family to industrial or agricultural work. Provisions also illegalize use of children for illicit purposes e.g drugs related businesses, sexual exploitation, trafficking etc.
- Proposals cover protection of children from street begging, exposure to harmful publications and videos, not to be subjected to skin marks or removed from the care and protection of parents or guardian unless as provided under the bill. It is as a result of the lack of recognition of children's right to care and supervision, that they are continuously subjected to almajiranci, early marriage, lack of opportunity for an education or skill training, exposure to varying forms of violence and exploitation etc
- Additional proposals are the obligations set upon government and other related institutions for the establishment of systems and mechanisms which ensure children's protection and access to basic services.
- Other proposals empower key stakeholders like the ministry of women affairs which is the main body responsible for children's welfare to set up institutions which will enable greater care, supervision, protection and access to health and educational services for children in the state.
- The proposals on specific needs and violations against children are more detailed and comprehensive. Furthermore punishments against acts violating identified children's rights reflect current standards and awards set in similar national laws.
- Mandating Local Government Authorities to assist in reducing infant and child mortality rates in communities, ensure provision and access to education and healthcare by children,
- Guaranteeing children's entitlement to the best attainable mental, spiritual and physical health and empowering children themselves to institute actions against persons violating any of their rights as well as other individuals in the community who observe similar violations on children who cannot make claim on same.
- Further guaranteeing the rights to free basic education and healthcare made mandatory upon government and requiring parents to ensure their children attend and complete primary and secondary education. Here special considerations are made regarding the girl child particularly those who becomes pregnant before completion of basic education to be given additional opportunity to do so notwithstanding the impediment.

- Further making provisions with detailed procedure on how to remove children from parental care when they are exposed to one or more form of violence against any of their rights with clear provisions on where they can be safely moved to and how they can be taken back after the danger has been averted and issues resolved.
- Provisions also added on the types of institutions that can set up for the care and supervision of children before they start basic education or if exposed to violence in schools or in communities or at home.
- More detailed provisions regarding custody of children where major issues are related to lack of care of children particularly nowadays due to the problems of polygamy, divorces and broken marriages.

3.3. The significance of many other proposals within the draft was explained. The draft amended Children and Young Persons Bill is attached as Annex C.

4. Comments, observations and questions arising from Presentations

- 4.1. A critical issue that arose was in respect of the *Dan jagora* i.e the children that are used by Persons with disabilities especially the blind when they are street begging. Stopping the practice of using children as *Yan jagora* was viewed as challenging especially with the situation of poverty in the state. Whilst the practice was observed as being negative to children particularly when seen from the perspective of exposure to violence and missing the opportunity for an education, the solution was seen from the point of stopping all those who use children in this light and then moving from there.
- 4.2. Another point raised was the need to take action on local/ traditional medicine sellers in markets who openly use very foul and explicit sexual language in selling their wares and all children in the vicinity are exposed to that. Enforcement of these provisions and a law which is developed some-time ago on this issue needs to be implemented. These actions will reduce some of the exposure of children to harmful language in public life.
- 4.3. On the issue of teenage pregnancy and the stigma attached to the girls and the children affected was seen as a major contributing factor to disposing of the new-borns thereby adding to infant mortality. There is need to address this if there are provisions of law on this through enforcement. And the *Yan jagora* issue must be address because girls *yan jagora* increasingly are susceptible to being impregnated as a result of this practice.
- 4.4. Almajiranci is a huge social problem that penalizing the practice is not the best solution at the moment. What needs to be done is make basic education mandatory and find ways of integrating modern education with the Qur'anic education provided at

tsangaya schools with additional forms of support to the *Malams*; this way the practice can progressively be done away with.

- 4.5. On questions of how the law will be enforced there was consensus that every aspect of the law that a particular institution or MDA is responsible for should be pushed and demanded for its enforcement. And that enforcement will not be altogether at once but pursued progressively over time with advocacies, calls to action, and even encouraging individuals to utilize the powers given to them in the law to test it by going to the courts on any of the issues where they are given power to demand for children's rights.
- 4.6. Whilst there were many other challenges facing the implementation of the bill once passed like political will of the government to make provisions a reality, indifference from the public due to lack of recognition of children's rights and a host of other obstacles, it was agreed that advocacy efforts need to be consolidated across stakeholders and pooled towards realization of these rights for children in the different ways that they are provided. The people, CSOs and institution need to be continuously mobilized to act upon the provisions as time goes on and so once the bill is passed it should not be left to government to implement.
- 4.7. The possibility of having protective systems and mechanism was raised in view of current hardships and challenges being faced in setting up the first Sexual Assault Response and referral unit in the capital, however the advocacy for this was also agreed to be sustained since in practice getting over the first hurdle is always the hardest but once that is past then getting additional/ other mechanisms and systems will be easier. Currently the state has approved the setting up of 280 primary healthcare units across the state all that is required is intensive advocacy which will enable integration of the SARRU in these and existing hospitals across the state.
- 4.8. Whilst the bill requires steps to be taken by government including local government to ensure child survival, within the practice of Child immunization the major obstacle there is getting parents to take their children for all the immunization that is required for children in the first year after birth. Health personnel still encounter abuse and harassment hence there is need for additional public sensitization and strategy in implementing this component of child healthcare ensuring the right to survival.
- 4.9. The mandatory provision for basic education for all children is commendable but the major problem of ignorance and poverty on the part of parents also needs to be looked upon and in advocacies messages calling for empowerment of the poor is key. Additionally, support for poor children needs to be advocated upon to access to basic education because notwithstanding the state policy on free education for girls still there are many numbers who cannot go to school because of this. Also if boys are not

included in the free education policy there is a danger that they will continue to be sent to almajiranci which is not what is wanted to the end of the day.

- 4.10. It is important to increase the penalty for those who give out their children to serve as *Yan Jagora* for begging purposes to 10 years imprisonment. And the Council of Ulama was advised to look into sensitization of the public on the position of begging under Islamic law and discouraging the practice from the point that it is permissible or allowed only from the point of necessity as opposed to occupation which is the practice nowadays.
- 4.11. Since laws usually have multiplier effects on related laws the law on hawking should be advocated to be enforced by the responsible institution because it penalizes the act of hawking by children and this will strengthen the bill from that perspective.
- 4.12. Advocacy efforts should centralize the campaign and message that the bill does not make almajiranci illegal but requires parents to take responsibility of their children in ensuring care for them as well as government to ensure it takes its part of the responsibility for providing basic education and healthcare. The instrumentality of the bill is used to delay almajiranci for boys until they reach an age where they can take care of themselves to a large extent i.e around 15 to 16 years after completing basic education not what is done currently where many children are sent from the tender ages of 5 , 6 and 7 years.
- 4.13. Whilst the consideration of girls who become pregnant without completing basic education and requiring government to provide additional opportunity to do so may be viewed as giving special privilege and supporting illicit behaviour, advocacies need to allay fears on this and show the hardships such a girl usually experiences from stigmatization, to various forms of discrimination within family and community, violations of varying rights, trauma and then lack of education or skills further throws her into deeper throes of poverty and violence; hence the best strategy is to give her an opportunity not to fall back into the same situation, to raise from her situation and be a productive member of the community. It is important to emphasize that only education will remove her from such negative plight and future.
- 4.14. The bill is silent on abandoned children and orphans and what should be done about them. There is need to review the proposals in this light.
- 4.15. Since the earlier law was repealed due to clash with Islamic law provision hence, present provisions on guardianship were advised to be considered in the light of already laid out procedure under Islamic law so that there is no conflict.
- 4.16. It is very important to ensure that the MWASD develop policies on keeping children in safe spaces e.g community homes which is absent in Jigawa state. Furthermore, the government should facilitate setting up of community and assisted community homes by interested institutions and independent organizations within communities. It is

believed that this will address problems of teenage pregnancies, neglected children, children without care and supervision, run away children etc

- 4.17. The MWASD has a land near the MDI and proposals have been to the Governor for the establishment of a children's home which proposal is still under review but there is hope that the proposal will be positively considered to establish such a home in the capital.
- 4.18. It is important to take ownership of the bill because all the problems that we are facing in the society about our children are also ours. Hence all stakeholders must be encouraged, sensitized and mobilized to collaborate and work with one another to address these problems. There should also be a clear provision within the bill which stipulates collaboration and cooperation between the key ministries involved with the welfare of children i.e. MOH, MOE and MWASD to ensure child development.

5. Advocacy Strategy

- 5.1. In this session, participants agreed that the actions that need to be taken forward are-
- Engaging the MOI to raise and increase awareness about the bill and processes adopted for its realization in addition to wider engagement with the press on the bill;
 - Involve the HOA henceforth in the entire process. Currently advocacies should be made to the House Committees on Women affairs, Health, Justice and Judiciary to brief them of the bill and entire process followed so far;
 - The bill should be sponsored by the MWASD as an executive bill and an advocacy should be planned and key Government officials mobilized for it e.g the Deputy governor, SSG, HOS, Commissioners of Information, Education, Health and Justice.
 - The Council of Ulama, Jama'atul Nasril Islam and other faith based organizations should be additionally engaged to be champions for the bill and for wider sensitization on children's rights to the public;
 - A position paper is to be developed on this and sent to stakeholders as part of continued advocacy for the bill;
 - Wider advocacy to the public should include radio programmes, town-hall and community meetings;
 - Take forward the COU's promise of a radio discussion programme on the bill for wider sensitization and awareness raising.

6. Closing session

- 6.1. The meeting was closed with an agreement that –

- a. The report of the workshop long with revised and updated versions of the draft bill will be shared with participants through their email addresses;
- b. A position paper will be developed from the workshop report to be used as an additional tool for advocacy.

7. Challenges

7.1 For purposes of reporting, prominent challenges observed from the meeting, include:-

- a. Insufficient time- The meeting was held during the fasting period hence activities for each day had to be concluded by 3pm which was the usual closing hour for work during the month. So meeting time was for 6 hours instead of the 8hours coupled with a large document of about 56 pages to be reviewed; hence there wasn't sufficient time to go into details of each provision which would have afforded the opportunity for more input regarding the provisions. Although the approach adopted in providing key aspects of provisions and mode of delivery assisted a lot in the feedback during discussions yet the cut back of hours contributed to the above point. Thus for the next reviews and validation exercises more time needs to be appropriated for the exercise in order to generate more input.
- b. Another challenge experienced is that of provision of logistics which contributed to delay in the conduct of the programme. For future programmes this needs to be avoided and logistics need to be organized ahead of time.

8. Conclusion

8.1 In conclusion, reviewing the objectives of the exercise against implementation the meeting can be said to have been successful because all the objectives set out for it were achieved. Participants' stakeholders were briefed on the need and significance of an improved legal framework which recognises and protects children's rights to survival, participation, protection from different forms of violence and development. Participants validated the new proposals made therein whilst undertaking a review of the said proposals and they were mobilized to support for the passage of the law which they indicated by demonstrating their commitment and support through participation in the exercise and pledging future commitment anytime they are called upon to do so. Here the Hon. Commissioner Women Affairs promised to champion the bill to the state HOA as well as lead a delegation to the Governor for advocacy purposes after the fasting period.

8.2 The outcomes of the meeting were also achieved because there was strong indication of participants understanding the importance of the proposals which they supported in line with current realities affecting children's development in the state.

9. The way forward – for V4J

9.1. Follow- on action for V4J to ensure continued support and commitment for the project include:-

- Follow up meetings with institutions and MDA representatives i.e MOH, MOI, MOE, Traditional institutions, COU, MOJ, Judiciary HOA etc to develop actions which will be taken forward to mobilize heads of institutions to buy into the bill.,
- Undertake relevant advocacy to key partners to enable a more cordial working relationship between institutions and foster cooperation to improve the welfare of children across institutions in their daily operations.
- Complete pending advocacies to renew and strengthen additional support for the bill to key officers within government i.e Deputy governor, SSG, HOS, HOA Committees, Key commissioners of health, education, justice, information and traditional leaders to gain political support/ will.
- Ensuring increased awareness for the bill:
 - ❖ Sustain engagement with Council of Ulama for increased awareness of the bill from a religious perspective.
 - ❖ Engage with media-print and electronic; for increased news and information on children's issues as well as increased awareness for the bill

9.2. To ensure improved implementation of activities of the platform

- Review plans and activities for the next quarters integrating the developed advocacy strategy agreed upon above;
- Establish an improved coordinating system for the platform including a governance and activity implementation structure; and
- Establish an M& E framework for activities to improve achievements of results.

Annex A: Workshop Agenda

Date / Times	Item	Lead Facilitator	Notes
Monday 20 June			
09.30-9.50	Registration of participants	BAF/SC	
10.00-10.30	Welcome remarks & overview of workshop	Aisha Jahun/ Othniel Khigir	
10.30-10.45	Update on initial review, findings on key issues & problems	Aisha Jahun, Coordinator Review Exercise	
10.45-11.30	Presentation of draft bill-1 st part	Sabo Sulaiman Kiyawa-DCR, SCA/JG	
11.30-12.30	Presentation of draft bill-2 nd part	Sabo Suleiman Kiyawa	
12.30-13.00	Lunch/Prayer Break		
13.00-13.30	Interactive session- Observations, Comments, Questions	Aisha Jahun	
13.30-14.15	Contd. Presentation of Draft bill-3 rd part	Suleh Umar DPP, MOJ/JG	
14.15-14.55	Interactive session	Aisha Jahun	
14.55-15.00	Wrap up/closing		
Tuesday 21 June			
10.00-10.05	Recap	Aisha Jahun	
10.05-11.15	Presentation of draft bill-4 th part	Sabo Sulaiman Kiyawa	
11.15-12.15	Interactive session	Aisha Jahun	
12.15-12.45	Interactive session	Aisha Jahun	
12.45-13.30	Lunch/Prayer break		
13.30- 14.55	Engaging with stakeholders on way forward –Further advocacy strategy development	Aisha Jahun	
14.55-15.00	Vote of thanks /closing	V4J representative	

Annex B: List of participants

No.	Name	Organisation	Position/ Job Title
1.	Hajia Ladi Ibrahim Dansuri	MWASD	Commissioner
2.	Kadi Bashir Birnin Kudu	JGCOU	Chairman
3.	Mal Yushau Abdu	JGCOU	Secretary
4.	Muhd Auwal Babaldu	JGCOU	Public Relations Officer
5.	Shehu Muhammed	MOH	Deputy Director Public Health
6.	Barr. Auwalu Sani	HC	DDPRS
7.	DSP Abdu Jinjiri	JG/NPF	PPRO
8.	DSP Emmanuel Yakubu	JG/NPF	OC Legal
9.	DSP David O Akwong	JG/NPF	OC CID
10.	Lawan D Baba	JSLRC	Executive secretary
11.	Hajia Halima Isiyaku	MWASD	Director Women Affairs
12.	Khadija Ali Ahmed	MWASD	Deputy Director Women Affairs
13.	Aliyu Saleh	MWASD	Director Child Development
14.	Abdulrashid I Muhd	MWASD	Deputy Director Social Welfare
15.	Ismail Yakubu	MOI	Director Information
16.	Isah Mustapha	PMP	Member
17.	Umar Ibrahim Hassan	PADAC/V4J	Secretary
18.	Mairo Datti B/kudu	MULAN/V4J	Member
19.	Memuna Muhammed	BAF/V4J	Member
20.	Aliyu Abdullahi	MOJ	Member
21.	Mohammed Ibrahim	CPN	Member
22.	Shittu Balarabe	CPN/V4J	Member
23.	Shuaib Musa K/Gana	FOSADA/V4J	Chairman
24.	Uwani Yunusa	MODEV/V4J	Executive Director
25.	Zainab Muhd Hadejia	JICOWA/V4J	Chairperson
26.	Gaddafi Hassan	ADEF/V4J	Member
27.	Ibrahim Basiru	ADEF/V4J	Member
28.	Abubakar Abdullahi	CON/V4J	State coordinator
29.	Ado Zangina	CON/V4J	Member
30.	Othniel Khigir	SC	State Advocacy officer
31.	Muhd Kabiru Dahiru	SC	Programme officer
32.	Edozie Abazi	SC	PA
33.	Ali Rabiun Ali	FREEDOM RADIO	Reporter
34.	Abbas Rufai	RADIO JIGAWA	Reporter
35.	Umar Akilu	Aminiya Newspapers	Reporter
36.	Sadisu Buhari Babura	MOE	Director
37.	Suleh Umar	MOJ	Director Public Prosecutions
38.	Sabo Suleman Kiyawa	SCA	Deputy Chief Registrar
39.	Aisha S Jahun	BAF/V4J	Executive Director/Coordinator

Appendix C: Draft Jigawa state Children & Young Persons Amendment Bill 2016



DRAFT JG C&Y
AMENDMENT BILL