



# Justice Needs and Satisfaction in **Nigeria** 2018

Legal problems in daily life



It is nice that we can make vacuum-cleaners user-friendly, but we think justice is a little bit more urgent.

We are friendly rebels who are passionate about social impact. We aim to empower 150 million people to prevent or resolve their most pressing justice problems by 2030. Why?

Each year, 1 billion people have a new justice problem. Shockingly, over 70% of those people do not find a satisfactory resolution. 30% don't even feel empowered enough to take action. This has a high impact on their lives and society: from violence to seriously damaged relationships and business conflicts.

To make a long story short: justice does not deliver what people need in their most difficult moments.

The problem is that we are still using the same models developed in the past centuries. It makes the process of getting justice today slow, tough, difficult and very expensive.

We truly believe basic justice care for everyone is possible. With data and technology we co-create high quality justice based on what we need now.

We at HiiL call it: user-friendly justice.

Justice that is affordable, accessible and easy to understand. It is justice that works.

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This research was supported by the Ministry of Foreign Affairs of the Kingdom of The Netherlands. The Civil Society Legislative Advocacy Centre and Life Builders Initiative were invaluable partners and this research greatly benefited from their collaboration.



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# Executive Summary

## Main findings:

73%

report a legal problem

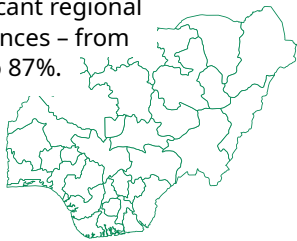
25 million

legal problems in Nigeria per year.

Many face multiple legal problems:

1.8 per person

Significant regional differences – from 57% to 87%.



Most problems are around disputes with neighbours, crime, money and land. In that order.



Women encounter more disputes with neighbours and family.



Men experience more land and employment disputes.



Four out of ten

Nigerians who took action report their problem was completely solved, which is a bright spot for the country.

If we include those who partially resolved their problem, the proportion rises to six out of ten people

## Impact of legal problems:

- Problems affect people; time, income, ill health, damaged relationships. For 17% of respondents the legal problem was severe.
- Victims of crimes and people with employment disputes experience the biggest impacts.
- Overall, loss of time and income are the most common consequences of legal disputes and Nigerians most often expect to recover their money or to receive an apology as a result of a justice journey.

## Paths to justice:

- 72% of Nigerians seek information or advice for their problem, mainly from their social network (Women more from relatives. Men more from friends). Only a third receive information from institutions.
- Legal aid is not visible.
- 10% of problems reach a lawyer and are concentrated on land disputes - 28%.
- Very few people seek information from the Internet about their legal problems.
- 71% of Nigerians who experience problems act. The rich are more likely to act than the poor.
- Resolution generally takes place outside of institutions, mostly by contacting the other party or asking a relative or friend to intervene.

- Only two out of ten Nigerians engage formal institutions to solve their problems. The police is most used. Courts and lawyers are rarely used.
- Traditional justice is also not very visible.
- People are inactive in their legal disputes because of negative expectations and financial pressure.
- Formal courts provide a good service in terms of problem resolution and explanation of outcomes, which is a positive thing, and approach the average with regards to fair distribution

### **The rich and the educated experience better justice journeys**

- Those with a higher level of formal education are significantly more likely to use a lawyer.
- Low-income people are two times less likely to engage courts (4% compared with 8%) and more than three times less likely to engage lawyers (3 % compared with 10%) than high-earners.
- We find that poor people are more likely to have their legal disputes ongoing and unresolved, compared with other better-off groups. Moreover, on average, the chances of obtaining an outcome increase in line with income levels. Richer people have access to more effective dispute resolution mechanisms.
- For poor women the ratio of completely resolved disputes is nearly half that of high-income women
- There is a high prevalence rate of legal problems among IDPs.

**HiIL conducted a Justice Needs and Satisfaction (JNS) study in Nigeria in the first half of 2018. The Ministry of Foreign Affairs of the Netherlands supported this research. Together with our partners, we spoke to 6,130 randomly selected Nigerians about their needs for and satisfaction with justice. These interviews depict access to justice as the people of Nigeria experience it in their daily lives.**

**This study complements the work of HiIL in the country since 2015 through our Justice Accelerator programme. Our local partners, the Civil Society Legislative Advocacy Centre (CISLAC), and Life Builders Initiative (LBI) helped to make this report possible.**

The Justice Needs and Satisfaction study in Nigeria has the following research, policy and innovation objectives:



Enhance the understanding of the justice needs of people in Nigeria.



Highlight bright spots of the justice system and identify areas for potential innovation.



Examine the paths Nigerians take when seeking justice.



Provide an evidence-based agenda for justice delivery and justice innovation.

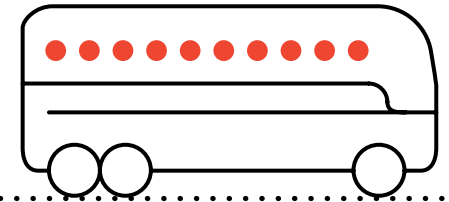
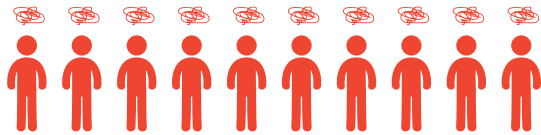
## Justice journey of Nigerians

### Legal needs

25 million people face a new legal problem in Nigeria every year.

These problems are difficult to resolve and have a negative impact on people's lives.

Let's suppose that those people with legal problems are represented by **10 people** in a bus to solve their disputes. They are about to start their justice journey.



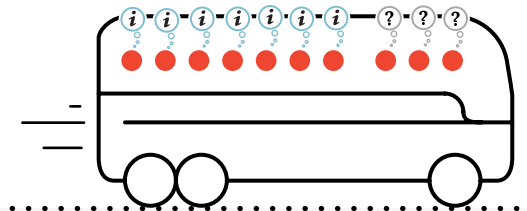
# Justice journey of Nigerians

## Information and advice

Is legal information and advice accessible and affordable?  
Do people consult their social network or professionals?  
If not, what are the reasons?



**7 people** will have access to legal information and advice.  
But not all of them will receive a high quality information from competent sources.



**3 persons** did not get any information.

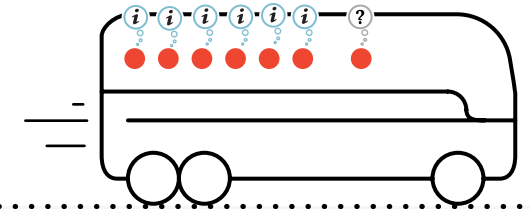
## Justice journey of Nigerians

### Taking action

Some people try to solve their problem while other not. Do they use own actions, rely on social networks or engage professionals to resolve their disputes?



**7 people** will take action to solve their problem:  
**6** who got legal advice and **1** who did not.



**3 persons** end their justice journeys here by not taking any action to get justice.  
**2** who did not get legal advice and **1** who did get it.





## Justice journey of Nigerians

### Resolving problems

Out of all people with problems, **4** of them get their problem completely resolved. They end their justice journey here.

We ask them about their evaluation of costs and quality of the process, and quality of the outcome.



**3 people** did not resolve their problem at the resolution stop.

**1** of them got tired of waiting and drop off the bus. the other **2** are still trying to reach a solution.



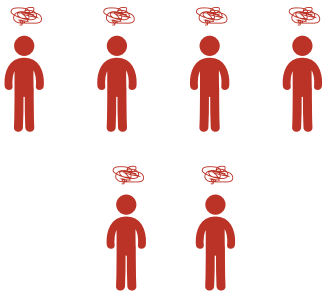
# Justice journey of Nigerians

## Summary of the journey

Only FOUR out of TEN persons with problems reach the final stop of a resolution, while SIX persons are stuck at different points.



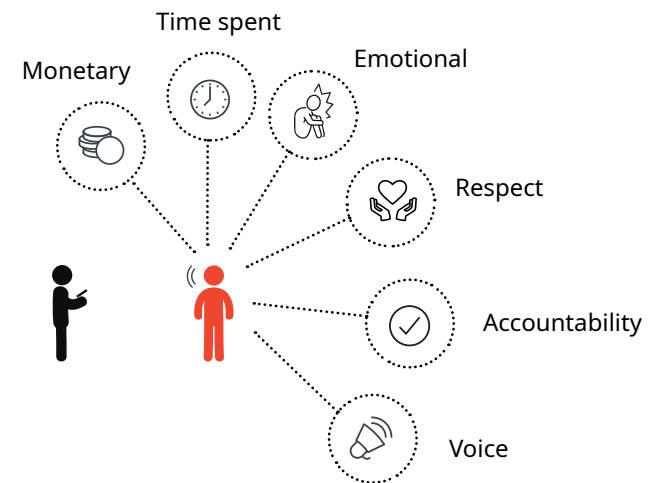
Approximately 11 million people will resolve their problem every year. This is the equivalent of 60% of all started procedures to solve problems.



14 million people every year will not get justice.

## Cost and quality of the journey

Among others, we ask people about the following costs that took place during their justice journey:



## Legal problems in daily life:

**Legal problems are common experiences in the daily lives of the people and communities of Nigeria. More than seven out of ten Nigerians encounter at least one legal problem every four years. This means that approximately 25 million individuals every year have to deal with various types of legal problem**

Compared with other countries, such a prevalence rate is in the higher range. There are considerable regional differences. Most people report legal problems in the Southern region (87%) and least in the North Eastern region (57%).

The most frequently reported categories of legal problem are disputes with neighbours, money problems, crime, and land problems. Close to 80% of all legal problems that people encounter belong to one of these categories. A second group of commonly occurring problems involve disputes around employment and housing. Women more often

need access to justice for problems related to neighbours and family law problems. Men encounter more land and employment disputes than women.

Nigerians experiences multiple legal problems. Many people reported more than one situation of need for justice encountered in the previous four years. On average, Nigerians have to deal with 1.8 legal problems. A positive finding is that most of these problems find some sort of resolution. Around 60% of problems in which the involved party took action end with partial or complete resolution.

Legal problems in Nigeria have serious consequences for individuals, the communities and society. **For 17% of them, the legal problem had severe consequences.** Crimes and employment disputes are the types of legal problem, which are experienced as most harmful by the people of Nigeria. The most frequently mentioned burdens of legal problems are loss of time and loss of money.

Seven out of ten people who have to deal with legal problems **actively seek legal information or advice.** Usually

such information is sought from the social network surrounding the users of justice. Women are more reliant on relatives when seeking information about resolving their problems. Men more often refer to friends.

Very few people receive advice from qualified sources such as legal aid providers, private lawyers or a public institution. The main reasons for not consulting such sources are lack of legal awareness and procedures which are perceived as complex.

## Justice journeys in Nigeria – mostly informal

Besides seeking legal information and advice, Nigerians actively pursue resolution of their legal problems. There are many different strategies and approaches to solving a legal problem. We study them using the metaphor of a journey. You can find a visual representation of our concept of a justice journey on page 8.

**Seven out of ten of the people with legal problems try to resolve them.** But this also shows that there are many people who have legal problems and do nothing to resolve them. Putting together the numbers, we see that **fourteen million (and perhaps more) legal problems remain unacted upon every year.** People simply decide to remain passive. Their reasons are mostly not believing that they can achieve a positive outcome.

Two facts are alarming: **only a fifth of the people with legal problems engage dispute resolution mechanisms provided by courts, lawyers, police and similar justice providers.** Most legal issues in Nigeria are dealt with in an **informal and very often unstructured manner.** These processes provide quick relief but might fail to deliver fair results in more complicated and contentious situations of disputes and rights violations. The second alarming fact is that **poorer Nigerians are less likely to act,** and when they do, they are less likely to achieve an outcome. One of the key objectives of the justice system of Nigeria is to provide equality of arms regardless of ethnicity, gender,

age, education and wealth. The data shows that the rich are more capable of dealing with their legal problems. A related finding is that there are low rates of dispute resolution in cases of employment dispute. Such problems are perceived as having very negative impacts on the people who experience them

Very few of the legal problems in Nigeria ever reach courts or lawyers. **Only 8% of the legal problems in which the users did something were resolved by formal courts or lawyers.** Despite its relatively long institutional history, legal aid in Nigeria is generally not visible

The fact that only 8% of serious legal problems are referred to courts and lawyers means that **92% of the needs are addressed through some different, usually less structured, mechanism.** For the vast majority of legal problems the mechanisms for dispute resolution are simple: contacting the other party or involving friends and family members in the dispute as third-party neutrals. In general, the resolution of legal problems in Nigeria takes place

outside of court rooms, lawyers' offices and administrative tribunals. Traditional justice mechanisms are also not particularly frequently used mechanisms.

The police is the most frequently engaged institutional dispute resolution mechanism.

A high proportion, **around 60%, of the legal problems occurring in Nigeria are deemed completely or partially resolved.** But what really matters for the users of justice and for the overall rule of law environment is how the people who need justice experience the available processes. The users of justice are not particularly satisfied with the quality of the processes and the quality of the outcomes of the paths to justice they follow. Processes can be significantly improved in terms of process fairness. Dispute resolution based on self-help and the social network scores particularly low in terms of satisfaction with quality and outcomes.

When courts are used to resolve problems, people are more satisfied with the quality of the process. They see judges as more neutral

and unbiased dispute resolution mechanisms compared with the less structured processes, such as independently contacting the other party. High costs are the downside of going to court. Particularly, lawyers' fees are a tangible barrier to justice.

## Access to justice for vulnerable groups

Women, poor people and internally displaced persons (IDPs) face particularly serious challenges on their paths to justice. People at the cross-sections of vulnerability, such as poor and rural women, are particularly disadvantaged. On average, poor women in Nigeria are the least likely to achieve resolution of their legal problems. Their problems are close to home. They relate to neighbours and family members. Women have little confidence that they can receive justice when they need it. They are afraid to aggravate relationships characterized by dependency.

Poor people are two times less likely to engage courts (4% compared with 8%) and **more than three times less likely to engage lawyers (3% compared with 10%) compared with those who are better off.** Legal information is also less reachable for the poor.

We find that poorer people are more likely to have their legal disputes unresolved, compared with better-off groups. Moreover, on average, the chances of obtaining an outcome increase in line with income levels. Wealthier people have access to more effective dispute resolution mechanisms.

IDPs are more likely to encounter a legal problem and have more access to legal advice than other Nigerians; they can count on a referral mechanism provided by the National Commission for Refugees, Migrants and IDPs to get their problems resolved, although some of them feel left alone.

# The way forward

## Data as a springboard for evidence-based interventions and support for implementation

Nigerians told us about their justice needs and priorities. They told us they suffer from problems that occur frequently at home, in their neighbourhoods, in the streets and at work. They see how stakeholders not always put users' needs at the centre of justice reform. The citizens of Nigeria need protection from the law for relatively small-scale problems: disputes with neighbours, petty crimes, borrowing money and disagreements around land. These issues have great impacts on citizens' daily lives.

Justice is not a static phenomenon. People learn, people move, people give up. Interventions lead to change. This is why it is advisable to put in place a measuring system to obtain up-to-date, bottom-up data on justice that will allow for effective strategizing to increase the availability of what works.

People in unequal power positions have distinct needs. Children-related and employment-related justice need urgent reforms to provide accessible justice journeys for minors and employees.

The UN's Sustainable Development Goals (SDG) are a call for action against poverty, and to make the world fairer and more just. SDG 16.3 relates to strengthening the rule of law and increasing access to justice for all. Governments have the chance to create indicators at national and sub-national level to track their progress in reducing the gap in access to justice. Baseline studies to map-out processes, evidence-based interventions to improve procedures, impact-measurement, evaluation and learning, experimental programming and scaling up what works seems to be a positive approach towards strengthening the rule of law.

## Invest in justice innovation

Governments are not alone when addressing their citizen's most pressing justice needs. Entrepreneurial Nigerians have created a community of justice innovators that help people prevent or resolve their justice needs by providing user-friendly, actionable information when it is needed.

Based on the data, we see that innovations tackling small claims could have a high-impact for vulnerable Nigerians that need fair and just resolution of their problems. Self-sustained local innovations, with citizens resolving problems of other citizens, is efficient and it works.

## Focus on local justice solutions that scale

Millions of people in Nigeria encounter legal problems every year. Many of these needs find fair resolutions. Such successes that are achieved locally have to be scaled up by leaders from the justice system and innovators. Based on our work on measuring and innovating justice, we believe that investing in ten areas of justice innovation will bridge the justice gap. Prioritization is the key here (see table on the right).

*Read more about these investments in Hiil's upcoming report "The Elephant in the Courtroom. Basic Justice Services for Everyone".*

## INVESTMENTS FOR CLOSING THE JUSTICE GAP

1. Organizing the voice of the users;
2. An open ecosystem for justice sector innovation;
3. An exemplary city of problem-solving justice;
4. Scaling up paralegals and facilitators;
5. User friendly courts with local reach;
6. Legal aid firms barring injustice;
7. Do It Yourself and Online Supported Dispute Resolution Platforms;
8. Fair solutions and designing agreements;
9. Eradicating family injustice;
10. The World Justice Organization ensuring quality.

Enable climate change talks: support the justice sector transition.

### **Deliver focused and actionable legal information**

Few people in Nigeria use qualified legal services or resort to legal aid to figure out how to resolve a dispute. Formal and informal providers of justice services need to reach out more to the users of justice and supply useful and actionable information. It is not enough to have more courts if people do not know how to effectively access them, or if people congest them with problems that could be resolved elsewhere. Nigeria has potential in terms of the use of media for such an enterprise. The police, the first point of contact between citizens and public institutions, can increase their capacity to inform and advise citizens. This is an integral part of the community policing concept.

### **Design hybrid justice chains to deliver inclusive justice journeys**

People in Nigeria engage multiple justice providers to resolve their legal problems. These providers include formal and informal dispute resolution mechanisms. Traditional and religious leaders and customary courts, for

example, deal with a significant percentage of cases, offering affordable and accessible justice.

A justice system focused on the needs of users provides seamless justice journeys, where people can move easily from informal to formal providers and vice versa. This is the core of hybrid justice.

In hybrid justice systems, each step in the journey reinforces another, leading to fair and effective solutions. These processes should be accessible, fair and linked to enforcement mechanisms. Access to redress mechanisms in the next tier of providers is necessary.

Nigeria has a good example of integration of regular, customary and sharia courts into a unified system. Examples from other countries include the Local Council Courts in Uganda and the Abunzi Committees in Rwanda.

### **Creative use of alternative dispute resolution processes**

There is a backlog problem in the formal justice sector. People express dissatisfaction about the time it takes

to get a solution, if they get one. Courts and lawyers are expensive mechanisms that are out of reach for poor and excluded Nigerians.

Most legal problems can be resolved with fair and just outcomes early, before reaching courts and lawyers. Reconciliation, assisted negotiation, mediation, and arbitration have the potential to deal with a huge proportion of legal problems in the country. For low value/high-volume problems, such as disputes with neighbours and over debts, these are the only viable mechanisms.

With alternative methods for dispute resolution, only the most serious problems are addressed in courts. This can be done offline and online. Online dispute resolution (ODR) is a valid alternative for real world dispute resolution. This is a market to be explored by Nigerian entrepreneurs, justice providers, policy makers and other stakeholders as an option to organize and deliver justice. Nigeria has one big advantage. Human capital. Thousands of Nigerians in Lagos, Jos, Asaba, just to name a few places, are learning and developing the

technological skills that are needed to take advantage of the fourth industrial revolution. It is not a coincidence that Google, Facebook and other leading tech companies are investing in the country.

### **Strengthen the role of the police in resolving (non-criminal) legal problems**

The police is the most frequently engaged formal institution from the justice sector. For many Nigerians, the police is the first point of contact with the state and justice institutions. People go to the police for various problems that are not necessarily related to crime or public disorder.

Without proper training and equipment, officers may dismiss problems considered non-core. But these problems are eminent and impactful for the people facing them.

Based on the data, we recommend the police in Nigeria systematically increase its capacity for resolving disputes people face that are not crimes. People and communities need protection and frequently seek information and solutions from the police.



# 1

## Context of the Justice Needs & Satisfaction Study

Introduction  
Purpose  
Our approach  
Research Methodology  
Demographics

# Introduction

Between March and May 2018, more than 6100 randomly selected adult Nigerians told us about their experiences with legal problems in the previous four years. We went to their homes in all six geopolitical regions, and we asked them, together with the local data collection company Communications and Marketing Research Group Limited (CMRG), whether they have faced a legal problem, about their efforts to resolve the problem and about their perceptions of the legal and political institutions in the country.

HiIL has been present in Nigeria since 2015, initially through the Justice Innovation Accelerator programme. Since then, we have established a strong community of justice innovation – one of the most dynamic in Africa.

In late 2017, HiIL started the preparations to conduct a Justice Needs and Satisfaction (JNS) study with the support of the Ministry of Foreign Affairs of the Kingdom of the Netherlands. The goal of this research is obtaining a complete picture of the paths people take when dealing

with a legal problem, whichever their preferred resolution pattern, with an emphasis on vulnerable groups and those who do not attempt to achieve resolution. In other words, making transparent the needs of justice users in Nigeria.

Nigeria is the largest economy in Africa. It has large wealth and power inequality. It has a growing, young population, and three legal systems, English law, customary law, and Sharia law, operating in a multi-ethnic setting and a federal state. The violent activity of Boko Haram, communal clashes and natural disasters have produced more than two million refugees and internally displaced people (IDPs) in recent years. These are only some of the conditions that make improving the rule of law an urgent priority for the country.

The Nigerian Constitution, (1999) in Chapter II, section 17 (1), describes social order as “founded on ideals of Freedom, Equality and Justice.” It continues, stating, “every citizen shall have equality of rights, obligations and opportunities before the law” (2). It is

therefore up to the state to provide all its citizens with access to justice in an affordable and fair way when they need it.

We make transparent justice needs and response strategies. Other actors have identified the need for reform. The Federal government, non-governmental organisations, and international donors know that this is very much needed. The Federal Ministry of Justice has several initiatives in place, such as the Federal Justice Sector Reform Coordinating Committee (FJSRCC), which has an action plan, including improvements for criminal and civil justice, as well as for the justice needs of small and medium enterprises (SMEs). Another office is the Administration of Criminal Justice Reform Monitoring Committee (ACJRMCM), which oversees the implementation of the Administration of Criminal Justice Act (ACJA) of 2015.

Civil society is very active in Nigeria. We could have not conducted this research without the support of our local partner, the Civil Society Legislative Advocacy Centre (CISLAC), one of the

leading organisations working on making the government accountable to its citizens and improving access to justice. Life Builders Initiative (LBI) collected the qualitative data we analyse in this report. Their work on education and access to justice for vulnerable groups adds to the foundation for a more fair and just society.

The justice needs and experiences of the people of Nigeria are central to the JNS methodology. We collect the opinions of the regular women and men in Nigeria. We inform our preparatory work and analyses with local experts, but the data we present comes from the daily experiences of Nigerians with legal problems and access to justice. We asked them to tell us what works and what does not work. This will help stakeholders and service providers to develop evidence-based strategies and interventions.

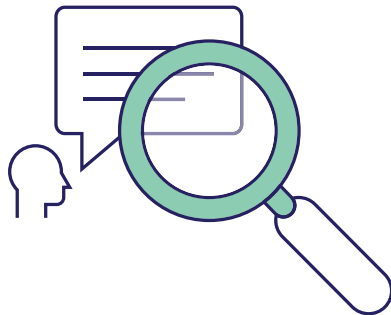


# Methodology



This section provides an overview of the general Justice Needs and Satisfaction (JNS) methodology, with specific details about the research design of the study in Nigeria. We start by describing Hiil's approach to citizens' needs (bottom-up justice approach). We provide an explanation of why bottom-up justice matters.

Later, we explain the specific goals of this research, the aim, what we do, and we do not do, and how we do it. We end this chapter with a word of caution about the data, recognising its limitations.



## Hiil's approach

- Focuses on justice in people's lives and understanding their experiences in seeking access to justice. We map out formal and informal justice journeys, rather than following what is in the laws or in the books only.
- Assesses the fairness of outcomes and processes in detail, so it becomes visible how people feel respected, and heard during the justice journey.
- Enables decision-makers to focus on justice when and where people needs the most. Citizens highlight the problem areas that are the most pressing for them; this is a true bottom-up approach.
- Provides robust evidence to support programming and policy-making in the areas of justice and the rule of law.
- Builds on local knowledge about what works best (identifying the bright spots).
- Informs users and suppliers of justice about the quality of existing services. Enables users to be informed about where to go and which services to use and assists suppliers in improving their services.
- Offers a cost-effective way of monitoring progress in the justice sector. A standardised and replicable approach leads to economies of scale, a reduction in operational costs, increased efficiency, a reduction in operational risk, and cross-country benchmarking.

CONTEXT OF THE JUSTICE NEEDS & SATISFACTION STUDY IN NIGERIA

1

## Why the bottom-up justice matters

Nigerians experience many justice needs in their daily lives. Very few of these problems are referred to the formal justice system of courts and lawyers. The policy priorities in the country seem to be fixed to high media impact, security-related problems. Whether citizens actually receive fair and effective solutions through transparent processes is rarely part of the debate about justice reform and its priorities. Most often, the focus is on the supply side: How do courts, prosecutorial services, police and other justice institutions mobilise resources, cope with demand and deliver results?

Understanding the demand for justice is key for the justice sector. Firstly, more effective and innovative solutions could be designed and implemented if the citizens are at the centre of the reform. Secondly, change works best if it considers the problems at a macro level, and implements solutions where the people interact with justice mechanisms.

Thirdly, justice innovation is about the re-design and improvement of justice journeys. This is an iterative process, which, if implemented well, can deliver more justice to the people of Nigeria. There are no small justice problems: Every injustice that is prevented or resolved fairly, contributes to the legal empowerment of citizens. Moreover, justice and the rule of law are positively linked to socio-economic development.



## How we measure access to justice

To understand access to justice in everyday life, we asked 6,130 Nigerians about their experiences during their justice journeys during the previous four years, meaning between 2014 and 2018.

We used a specifically designed research instrument, the Justice Needs and Satisfaction Tool, to measure their justice needs. The questionnaire addresses the type of legal problem that people encounter, the resolutions they achieve, how they seek legal information and advice, which dispute resolution mechanisms they engage, and how they experience the resolution process and the outcomes. This has been used in 15 countries and is thus accepted as a standard methodology.

One of the distinctive features of the JNST is that we measure the cost and quality of the dispute resolution procedure identified as the most helpful, by the user. Below you can find some examples of what we ask to measure the cost and quality of the justice journeys:

To what extent (on a 1-5 scale)...

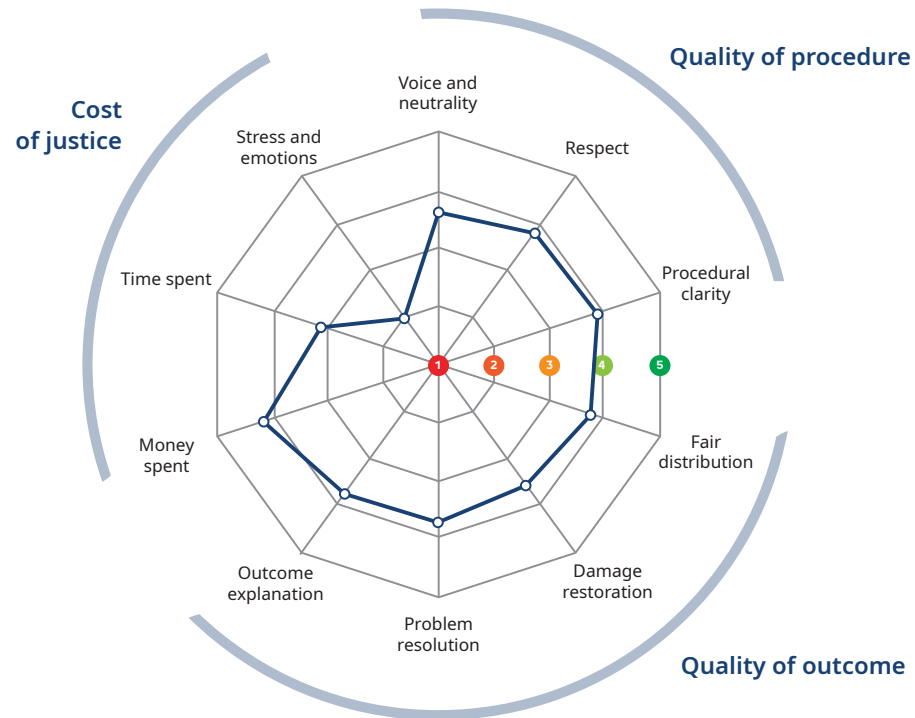
- did the process make you feel frustrated?
- did the process make you feel angry?
- were you able to express your views and feelings during the dispute resolution process?
- were the same rules equally applied to you and to the other party/parties?
- was the dispute resolution process based on accurate information?
- did the adjudicator explain your rights and options during the process thoroughly and make sure you understood them?
- And in a separate question:
- How many days did you spend resolving the problem?

CONTEXT OF THE JUSTICE NEEDS & SATISFACTION STUDY IN NIGERIA

1

People use formal and informal processes to resolve their legal problems. These are called justice journeys. HiIL quantifies these justice journeys by asking people about their perceptions of three dimensions:

the process, the outcomes, and the costs of the journeys. The questions are categorised and displayed in ten easy-to-understand indicators of the costs and quality of access to justice.



1. The costs of justice



Money spent on the process: Monetary costs for legal fees, travel, advisors\*.



Time spent on the process: Time spent searching for information, evidence, attending hearings, travel, etc.



Stress and negative emotions attributed to the process.

2. The quality of the procedure



Voice and neutrality: Process control, decision control, neutrality, consistent application of rules.



Respect: Respect, politeness, proper communication.



Procedural clarity: Timely and accurate explanation of procedures and rights.

3. The quality of the outcome



Fair distribution: Distribution is fair according to needs, equity and equality criteria.



Damage restoration: Fair compensation for monetary loss, emotional harm and damage to relationships.



Problem resolution: Extent to which the problem is resolved, and the result is enforced.



Outcome explanation: Extent to which the people receive access to outcome information.

\* Current exchange rate: 1 euro = 420 Naira, according to Bloomberg.

## CONTEXT OF THE JUSTICE NEEDS &amp; SATISFACTION STUDY IN NIGERIA

1

## What we did

We used a full multi-stage randomized sampling procedure, which gives every adult Nigerian equal chance to be part of the sample. We then included quotas of gender, age, rural/urban proportions, and employment status. The confidence level for the survey is 95% with a sampling error margin of 5%.

6,130 people were sampled in face-to-face interviews. CMRG, the data collection company selected to conduct fieldwork, provided experienced enumerators and supervisors. HiiL trained them on the particularities of the JNST in February 2018, and they were deployed to knock on people's doors in 18 states. These states were selected in accordance with local experts, considering the safety of our enumerators and the representation of the country's diversity. The resulting sample matches the proportions of residents in each geopolitical region.

The enumerators conducted the survey with an electronic (tablet) device. This has several advantages:

- Automatic, centralized storage of completed interviews through instant online submission where possible, or daily submissions in remote areas.
- Real time monitoring of fieldwork.
- Automatic capture of GPS coordinates.
- Built-in logical checks prevent sequence errors.

In a joint effort with our local partner organisation, CISLAC, we conducted a triangulation workshop in July 2018 in Abuja, with the participation of stakeholders from the Federal Ministry of Justice, the Federal Ministry of Mines and Steel Developments (MMSD), the Nigerian Police Force, the Nigerian Bar Association (NBA), the National Commission for Refugees, Migrants

and Internally Displaced Persons (IDPs), civil society organisations, international organisations, and international donors. HiiL presented the preliminary results of the report to the attendees, which provided the opportunity for dialogue around the data. This dialogue with stakeholders and local experts added more depth to our understanding of the occurrence of and response to legal problems. Parts of these discussions are quoted in the chapters below.

LBI conducted qualitative interviews with users of justice, particularly the most vulnerable groups, including IDPs, during the summer of 2018 with the objective of getting a more in-depth account of their experiences. Their stories, in their own words, illustrate and provide in-depth clarifications of the JNS data.



## CONTEXT OF THE JUSTICE NEEDS &amp; SATISFACTION STUDY IN NIGERIA

1

## A word of caution about the data

Despite the efforts to have a strong research design that includes quantitative survey data, qualitative interview data with users of justice, and interviews and rounds of feedback with local experts, inevitably, there are limitations to the data, just as in every study. A small proportion of the findings are based on answers from a limited number of people, particularly when the disaggregation in the sub-samples gets closer to the end of the justice journey, a resolution, or when a problem category with small prevalence is analysed in depth. For detail about people's experiences with specific justice journeys, different and larger samples are needed, for example, with problem-specific surveys.

People tend to underreport specific legal problems. This situation was confirmed by local experts, who indicated that this might be the case for land disputes or family problems such as domestic violence and other gender-based violence problems. Family disputes, for example, are considered to be a sensitive topic, making people less likely to seek justice outside of the family.


- Some people might not report problems due to shame and fear. For example, when people have spent time in prison or have had problems with figures of authority.
- Cultural norms may cause people to under or over-report problems. Some people did report fear of being charmed as a deterrent to taking action, which can also preclude reporting problems. Dependency relationships also play a role.



- The high level of insecurity in the country had a small effect on the survey fieldwork, particularly in the north central states of Benue and Adamawa. In Benue state for example, the presence of our field team made residents generally suspicious, apprehensive as well as scared about their safety especially in the wake of recent attacks by suspected Fulani herdsmen. However, the presence of trained interviewers, who were also natives of the locations, suppressed the suspicion and facilitated drawback-free fieldwork.
- We did not include sub-samples of some of the most vulnerable groups, such as the disabled. We recognise that these are important members of Nigerian society and hope to collect data on their justice needs in the future through conducting focus group interviews, for example.




# Demographics

Sample:  
**6,130**  
 randomly selected adults

Interviewed between  
 March and April 2018 

Respondents:  
 **52%** male, **48%** female 

Average age:  
**31**

Average household  
 consists of  
**4.2** people 

Age & category name		Marital status	
Youth (18 – 24)	26%	Single, never married	54%
Young adulthood (25 – 39)	56%	Married	41%
Middle adulthood (40 – 64)	17%	Married, but separated	3%
Seniors (65+)	1%	Divorced	1%
<b>Income level</b>		Widowed	2%
Low	22%		
Medium	65%		
High	12%		

## FORMAL EDUCATION LEVEL



Formal education levels:

*None: Illiterate and literate with no formal education*

*Low: Primary school*

*Medium: Secondary school*

*High: Graduate and above*

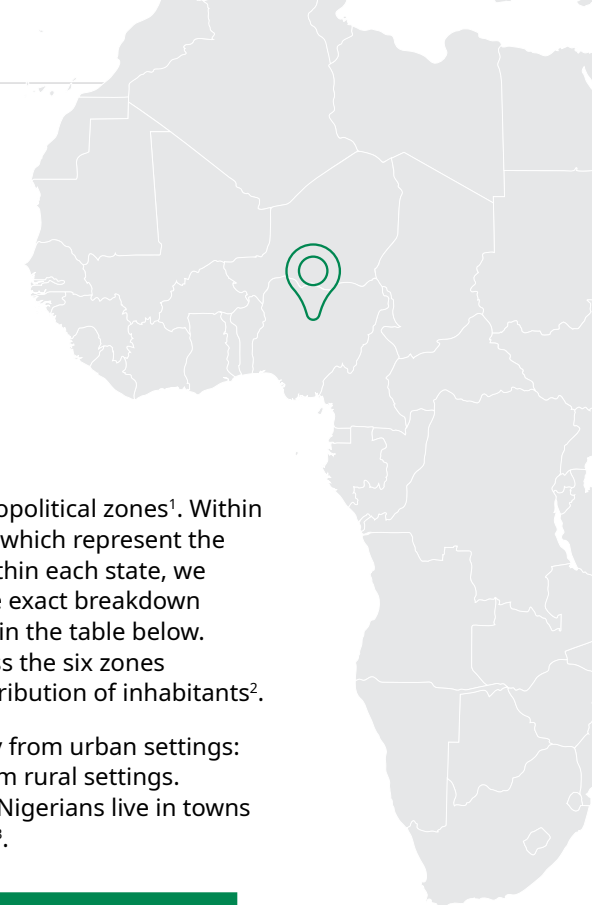
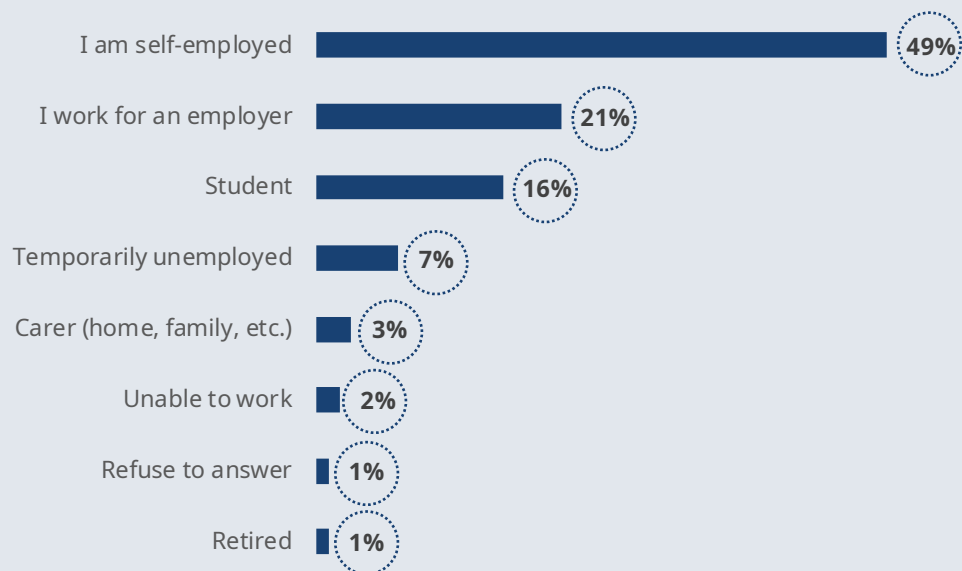
## CONTEXT OF THE JUSTICE NEEDS & SATISFACTION STUDY IN NIGERIA

1

### Do you have paid work (formal or informal)

No	45%
Yes	55%

### EMPLOYMENT STATUS



The study was conducted in all six geopolitical zones<sup>1</sup>. Within each zone, three states were chosen, which represent the economic diversity of the country. Within each state, we covered three senatorial districts. The exact breakdown of respondents per zone is displayed in the table below. The distribution of respondents across the six zones approximates the actual national distribution of inhabitants<sup>2</sup>.

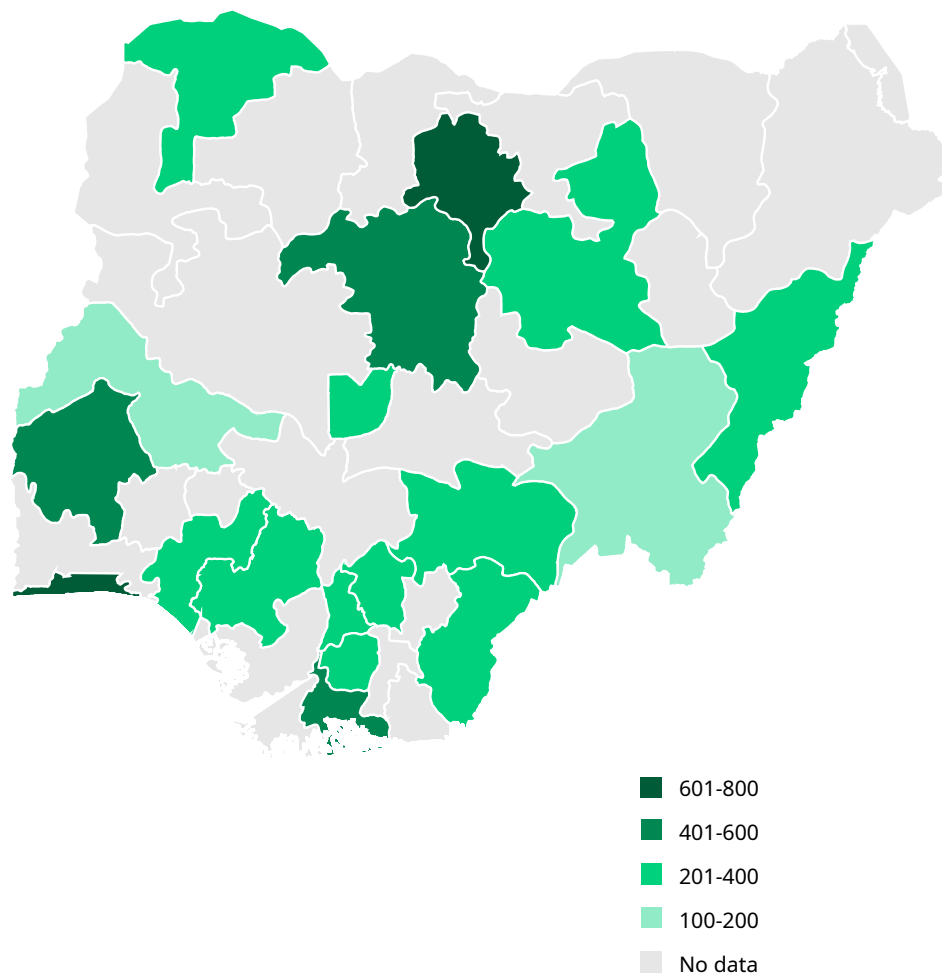
The respondents were predominantly from urban settings: 55% of them, compared with 45% from rural settings. According to the World Bank, 49% of Nigerians live in towns and cities, and 51% live in rural areas<sup>3</sup>.

Geopolitical zone	Respondents	%
North Central	742	12%
North East	784	13%
North West	1478	24%
South East	886	14%
South West	1376	22%
South South	864	14%

<sup>1</sup> A number of states that ranges between four and seven composes Nigerian geopolitical zones.

<sup>2</sup> Nigerian Bureau of statistics, Demographic Statistics Bulletin 2017, <http://nigerianstat.gov.ng/download/775>

<sup>3</sup> <https://data.worldbank.org/indicator/SP.RUR.TOTL.ZS?locations=NG>



Number of respondents sampled per state

State	Respondents
Adamawa	248
Anambra	330
Bauchi	357
Benue	329
Cross Rivers	209
Edo	248
Enugu	256
FCT	218
Imo	300
Kaduna	475
Kano	706
Kwara	195
Lagos	704
Ondo	257
Oyo	415
Rivers	407
Sokoto	297
Taraba	179
<b>Total</b>	<b>6130</b>

The table above shows the name of the states selected for this study.





# 2

## Legal Problems in Nigeria

Problem prevalence  
Types of legal problems  
Impact

# What is a legal problem?

It is important to know how many Nigerians are affected by legal problems, what actions they take to resolve them and how well those actions work. But what exactly is a legal problem?

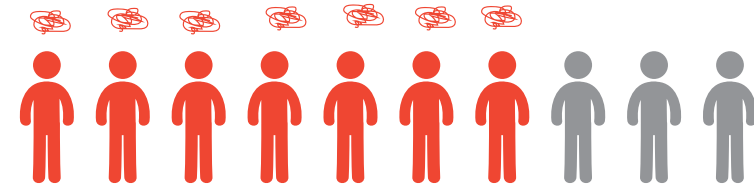
We define a legal problem as a situation of serious dispute, disagreement or grievance. There must be a legal action through which the specific legal problem can be resolved. However, it does not matter whether the respondent recognised the legal aspect of the problem or not. It also does not matter whether the individual respondent formulated legal or non-legal strategies to respond to the problem.

Legal problems are situations in which the individual respondent was directly involved. The problems should be serious and not trivial. What constitutes a serious problem was left up to the particular respondent.

Based on our previous experience, we identified a standard list of 102 specific legal problems grouped into 16 categories. This list was extensively consulted on with experts from Nigeria and adapted accordingly.

## Legal problems frequently occur in Nigeria

73% of the population experienced one or more legal problems in the studied period. This corresponds to more than **25 million problems every year**. Legal problems tend to co-occur. People who have legal problems experience on average 1.8 problems.

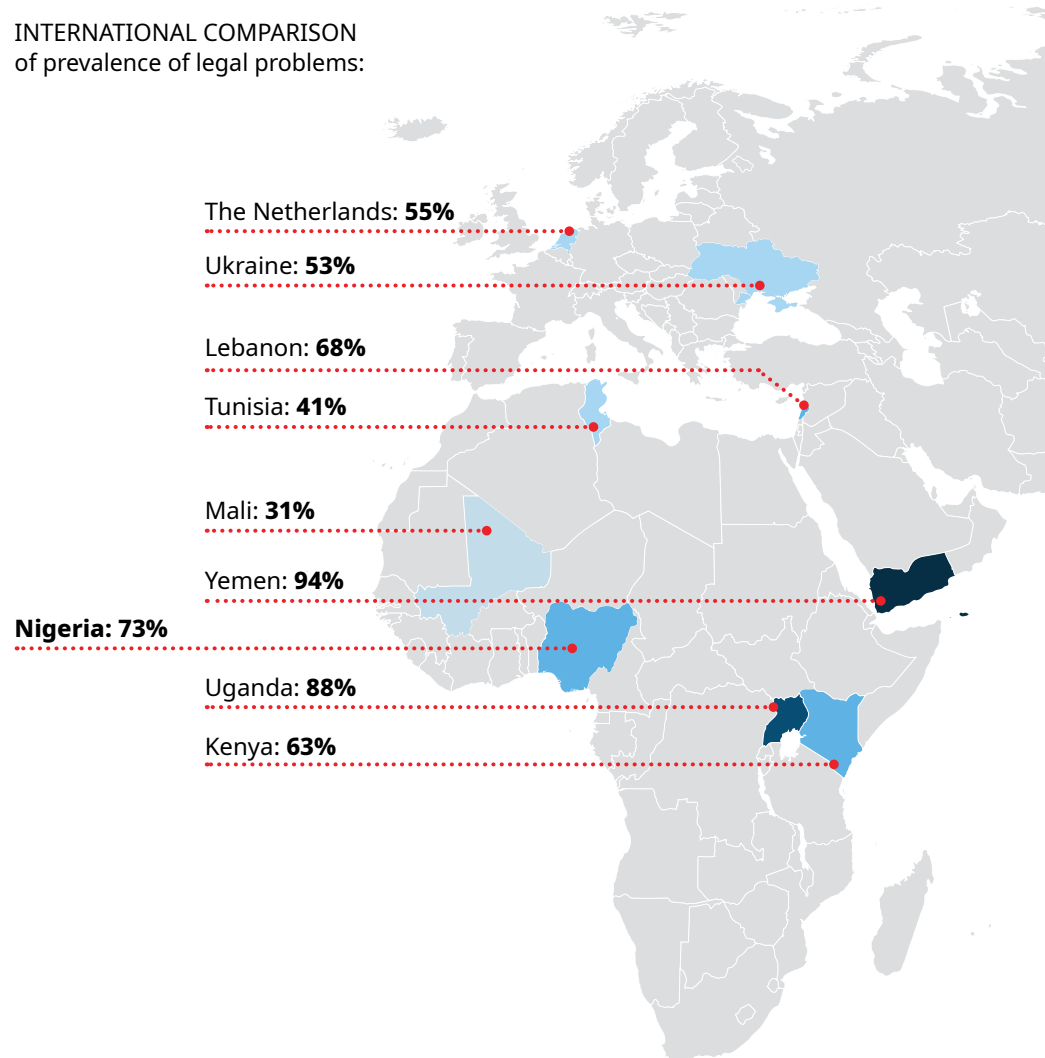


n=6130



## LEGAL PROBLEMS IN NIGERIA

2

INTERNATIONAL COMPARISON  
of prevalence of legal problems:

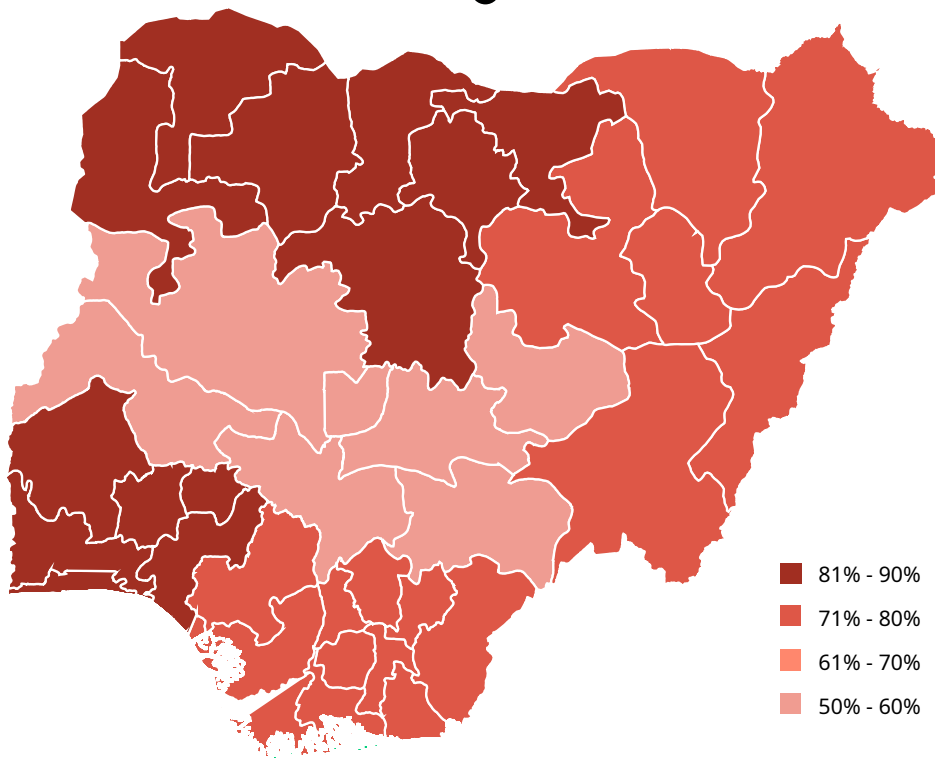
Legal problems affect all social groups, but some are more likely to encounter a problem than others:

- Overall, men encounter legal problems slightly more often than women (74% compared with 71%)
- People in the highest income group encounter legal problems more often than others, particularly the lowest income group (77% compared with 73%)
- Education level and living in urban or rural areas do not have a clear relationship with experiencing more or fewer problems.



LEGAL PROBLEMS IN NIGERIA

2



Occurrence of legal problems by geopolitical zones

Region	Rate of Problem
North East	57%
South West	58%
Middle Belt (North Central)	73%
South East	74%
North West	86%
South South	87%

# Types of legal problem

The different legal problems that people experience can be categorised:

- Land problems
- Housing
- Problems with Neighbours
- Employment problems
- Family problems
- Problems with Children
- Social welfare
- Public services
- Crimes
- Consumer related problem
- Accidents/ injury
- Money
- Obtaining ID documents
- Business-related problems
- Police related problems
- Corruption

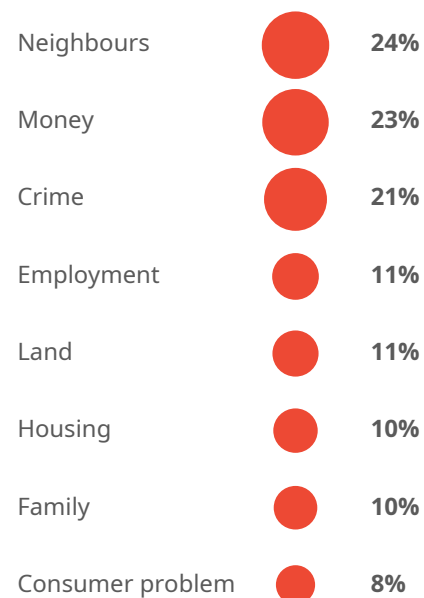
Each category is divided into specific problems, with a total of 102 individual problems.

## LEGAL PROBLEMS IN NIGERIA

2

 WHICH ARE THE MOST FREQUENTLY OCCURRING PROBLEMS?
 

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n=4464

The graph on the left shows the proportion of people who experience different problem categories, as a percentage of all the people with problems<sup>4</sup>. The following three types of problem occur most frequently:



**Neighbours:** One third of all problems with neighbours relate to regular and excessive noise.



**Money:** Disputes over lending and borrowing money make up more than 70% of all problems related to money.



**Crime:** More than half of all crimes are thefts. Another 25% are property crimes, such as robberies, burglaries and damage to property.

Because of the sample is representative of Nigeria, we can extrapolated the frequency of problems encountered every year

It has to be noted that disputes about land are not among the top three categories of legal problem. During the triangulation workshop, several alternative explanations were discussed with the participants. One view relates to people being afraid to report land cases. Another, is that people do not consider them report-worthy because of associated time and costs. Alternatively, the character of the sample, marginally more urban, might have an impact on the distribution.

Still, land problems in Nigeria are the second most common group of legal problem. When people rank the problems based on seriousness, land disputes are ranked fourth.

If people experience more than one legal problem, we asked them to pick the most impactful and serious problem. The distribution of the most serious problems shows that neighbour-related issues and crimes are the most impactful and serious legal problems for Nigerians, followed by disputes related to money.

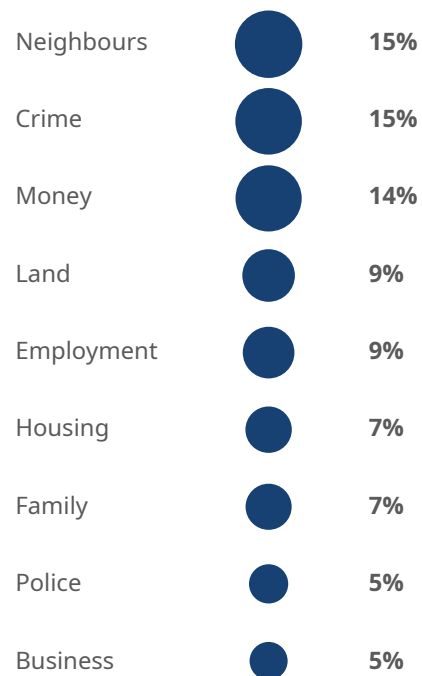
<sup>4</sup> People can report more than one legal problem. That is why the percentage in the table above sums up to more than 100%, with a cut-off of 8%.

LEGAL PROBLEMS IN NIGERIA

2



MOST SERIOUS PROBLEM CATEGORY



Some groups of people are more likely to experience certain problems than other people:

- Men are most likely to experience serious problems related to crimes and money (both 14%), whereas women are most likely to encounter neighbour-related problems (19%).
- Land problems occur most frequently with older people. It is the most frequently occurring serious problem for people of middle age and seniors, whereas young people and young adults rarely face such problems.
- Income, formal level of education and living in urban or rural areas do not affect problem types systematically.
- Adamawa State inhabitants are most likely to have a land problem as their most serious legal problem. Land problems are prominent in Imo State as well.

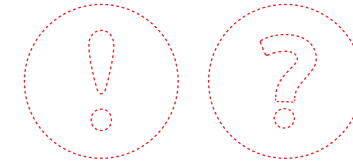
The most serious specific legal problems in Nigeria (this is, without grouping them in the 16 categories) are the following:

Most serious individual problem	Percent of all serious legal problems
Theft	8%
Disputes over lending money	6%
Regular and excessive noise	5%
Non-payment of wages	5%
Disputes over borrowing money	4%

## LEGAL PROBLEMS IN NIGERIA

2

# What does it mean to experience a legal problem?



Experiencing a legal problem can have a number of negative effects. Imagine you have a dispute with your neighbour about the border of your land. You probably forgo income because you cannot use parts of your land to grow food, you spend countless hours going over your options and wondering what to do, and confrontations with your neighbour probably make you feel anxious and put a strain on your relationship. It is important to understand the burden of these consequences to pinpoint the pain points in the justice system and to choose appropriate actions to resolve them.

Each person experiences, on average, two consequences due to their legal problem. For example, a person might report that a legal problem caused loss of time and a personal injury.

The consequences of legal problems vary between different kinds of problem:

- For family and neighbour disputes, problems with relationships play a major role.
- Loss of income is the most frequent consequence for employment problems, public service problems and crimes.
- Loss of time is most relevant for disputes regarding land, housing, the police, obtaining id documents and consumer issues.
- Stress-related illnesses are the most common consequence of disputes regarding social welfare. Half of the people suffer from it.
- Demographic characteristics, such as gender, age, level of formal education and living in a rural or urban area are not systematically linked to the type of consequence people experience. An exception is that loss of income becomes less frequent as the household income increases from the lowest to the highest category (42% to 33%).

## CONSEQUENCES

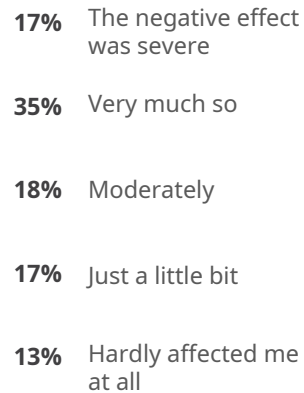
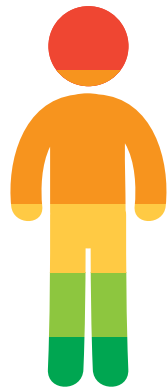


LEGAL PROBLEMS IN NIGERIA

2

# Who was the other party in the conflict?

## HOW DID THE PROBLEM AFFECT YOUR LIFE?

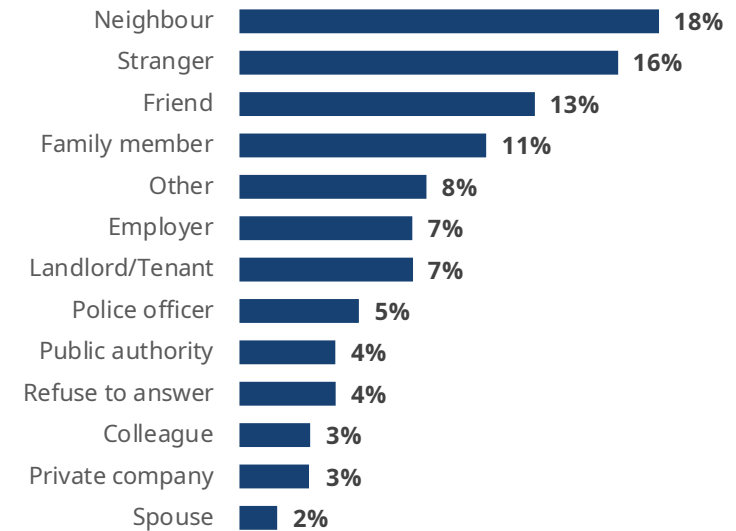


Some problems affect people's lives more severely, and some groups are more affected than others. When asked to rate the impact of the problem on a scale from 1 (Hardly affected me at all) to 5 (The negative impact was severe), the average impact was 3.26 (moderately).

- Employment disputes (3.48), crimes (3.47) and social welfare problems (3.38) have the most severe impact.

- Neighbour disputes (3.07) and money disputes (3.1) have the least impact.
- The poor are more severely impacted than others.
- People in rural areas are affected slightly more severely.
- The severity of the impact does not depend on gender or age.

## WHO ARE/WERE YOU IN A CONFLICT WITH?



Who the other party is, is highly dependent on the type of problem:

- Naturally, neighbours are the most common opposing party in neighbour conflicts. However, they

are also frequently the other party in disputes related to children.

- Family members are usually the other party in both land and family disputes.



## LEGAL PROBLEMS IN NIGERIA

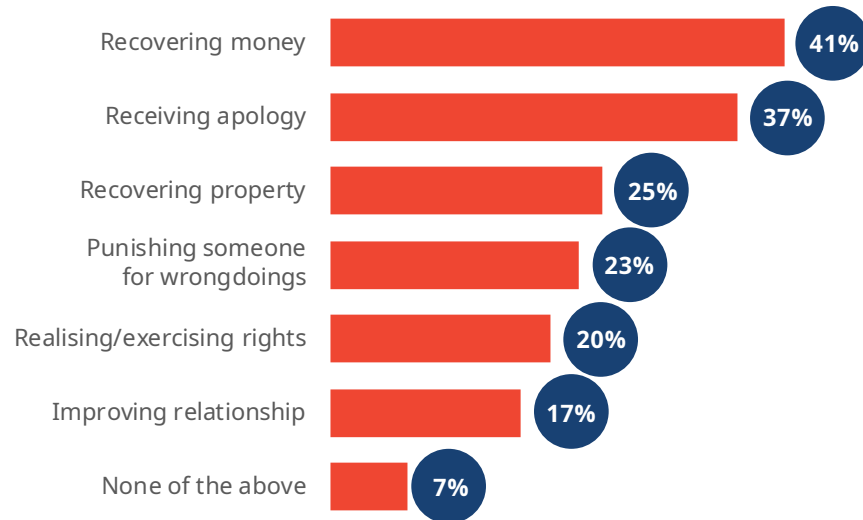
2

# What did you want to achieve?

It is not always obvious what people wish to achieve by resolving their legal problem. Some disputes may revolve around distributing money, while others are about exercising rights or

recovering property. Some people want an apology, while others want goods to be divided. On average, people mention 1.7 outcome desires.

## WHAT DID YOU WANT TO ACHIEVE?



- To compare, one out of two Ugandans wanted to recover property. Receiving an apology was a desire for only 5% of Ugandans.
- Crime: Recovering property (63%) is the most frequently desired outcome of resolving crimes, which is to be expected considering that more than half of all crimes that we recorded were thefts. Someone being punished for wrongdoing is also important to victims of crime (43%), followed by recovering money (38%).
- Money: Naturally, the overwhelming majority of people with money problems wish to recover their money (87%). Roughly a quarter wish to receive an apology (26%).
- Land: The wish to recover property (82%) is the most common theme among people who have land disputes, followed by receiving an apology (35%). Recovering money (26%) and someone being punished for wrongdoing (20%) are also important.
- Employment: People who face conflicts at work want to recover money (70%) and receive an apology (28%) most often.
- Housing: There is no dominant outcome expectation for people who experience housing problems: 37% want to receive an apology, 35% want to receive money, 30% want to exercise their rights, 21% want to recover property and 20% want to improve relationships. On average, a person only has 1.7 expectations, which implies that many housing disputes are very different from each other and successful dispute resolution mechanisms need to be sufficiently flexible to take this into account.

## The story of Esther

*I am a 22 years old woman from Benue state. I started working for a woman as a sales girl, in a fabric store at Maraba. On a Sunday afternoon, my neighbour at the shop called me on phone and asked me to quickly come to the shop. I told my aunty, she accompanied me to the shop. To my great surprise, I saw that the two padlocks I used in locking the shop was removed and my neighbour asked if I forgot to close the shop. I said no! We realized some goods had been stolen. I became shocked, so I informed my madam of the development by phone. She came and took me to the police station, and accusing me of stealing the goods.*

*The police arrested me. The inspector in charge took me to location of the crime. He looked around and he returned me to the cell. The police asked me to write undertaking. I did, and I was detained for four days in the police station. However, a security that guides the plaza where the shop is located was arrested and they claimed I connive with him to rob my madam shop.*

*My madam abandoned me at the police said after five days. If nobody bail me, I will be taken to prison. So my aunty insist we will go to court, If not I will remain in the prison.*

*(The judge) charged me and the security man, took our statement and bailed us temporary for one week. On the day of our second sitting in the court, the security man didn't show up and they said they can't proceed with the case.*

*(The problem) affected me, I felt bad for being in station, and it hurt my family! Because they know, I wouldn't do such a thing. I had an attack; I fell ill for some time. It was painful.*

## Conclusions

Legal problems occur frequently among the Nigerian population, with three in four people experiencing one or more legal problems every four years.

There are substantial differences in how many legal problems people experience in different geopolitical regions. Disputes with neighbours, crimes and problems concerning lending and borrowing money are the most common serious problems.

However, victims of crimes and people with employment disputes suffer the biggest impacts on their lives. The poor are also more negatively affected. Overall, loss of time and income are the most common consequences of legal problems and Nigerians most often want to recover their money or receive an apology after resolution.





# 3

## Access to Legal Information and Advice

- Sources of Legal information and advice
- Accessibility of professional legal services
- Most helpful sources
- Media and legal information
- Reasons for not seeking legal information

## Introduction

Ideally, justice journeys start with acquiring and processing information about the problem, the legal position of the parties, the parties and institutions concerned and what can be done. How does the Nigerians experience compare to this ideal scenario?

For researchers and stakeholders, it is important to know not only whether people seek and receive information but also whether they regard this information as trustworthy, reliable and actionable. From users' perspective, it is important whether the information leads to a (fair) resolution of the problem.

Competent, trustworthy and timely information about various aspects of the legal problems is key for people's ability to use the law to empower themselves, their families and communities.

Legal awareness is a major barrier to access to justice. Legal information and advice is an important factor for reducing the barrier<sup>5</sup>.

Accessible and affordable legal information has a role to guarantee the equality of arms and inclusiveness of justice. Widely available legal information should decrease the gaps between "haves" and "have nots"

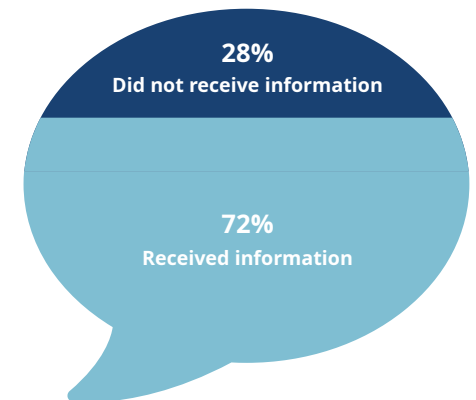
The act of obtaining legal information somewhat determines whether and which resolution strategy will be pursued.



## Most Nigerians seek legal information and advice

Most people in Nigeria seek some sort of legal information or legal advice when they encounter a problem that can be resolved by legal means. More than 18 million Nigerians do so every year.

### LEGAL INFORMATION AND ADVICE



n=4464



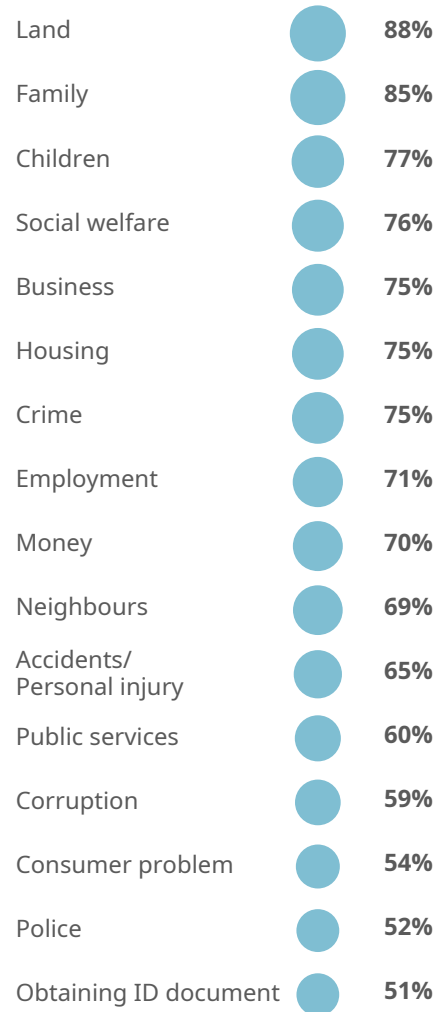
<sup>5</sup> Commission on Legal Empowerment of the Poor, *Making the law work for everyone*, vol I (United Nations Development Programme, 2008)

LEGAL INFORMATION & ADVICE

3

The level of active pursuit of legal information or legal advice, however, differs per type of problem. Nonetheless, no category falls under the 50% mark.

% OF USERS OF JUSTICE SEEKING FOR INFORMATION FROM ANY SOURCE



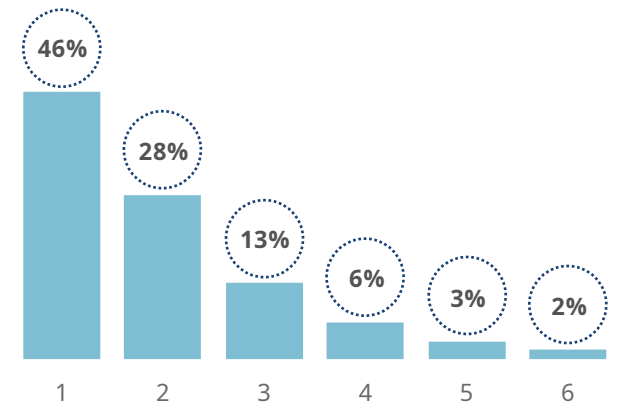
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Around half of the people with problems seek legal information from one source, 28% seek information from two sources and 13% from more than three sources.

For land disputes, the respondents refer to the most sources of legal information; on average, slightly more than two. People also actively seek information from various sources when

they experience problems of crime, social welfare, children-related issues and family disputes. Least active are those who seek information for legal problems such as corruption, police and consumer problems. We will show in the next chapter that land problems not only require active search for legal information and advice, but also more types of action to resolve.

NUMBER OF SOURCES OF LEGAL INFORMATION



## LEGAL INFORMATION &amp; ADVICE

3

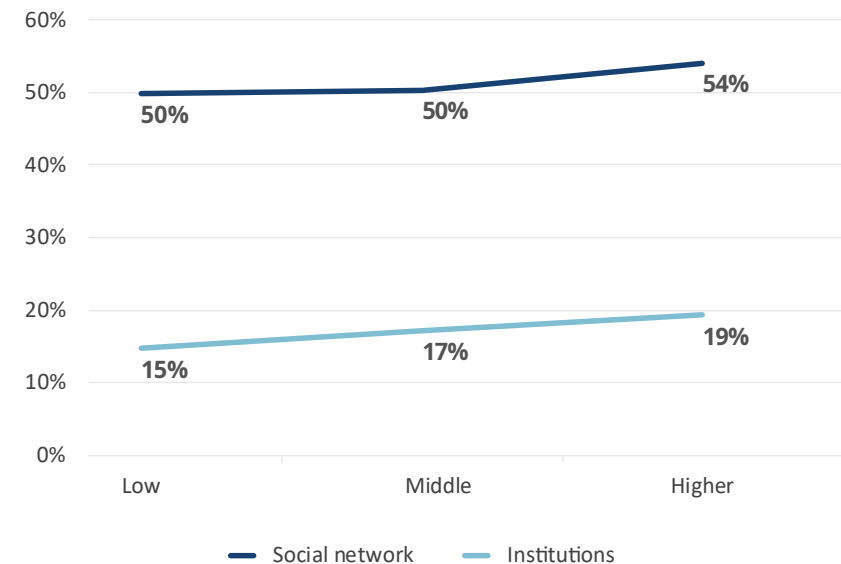
## Sources of legal information

Social network	Institution
Friend	Local public authority
Colleague	State public authority
Neighbour	Federal public authority
Relative	Lawyer
Religious leader (e.g. Emir, Oba, Obi)	National or Local NGOs and / or Human Rights Organization
Community leader (e.g. Baale, Datti Mai, Onyi Isi Obodo)	Police
Political figure	Legal aid organization
Employer	Trade/Labour Union
Other	Office of the Public Defender
	Paralegals
	Other

First, we treated the search for legal information and advice as if it was a single choice between seeking legal information or remaining passive. However, we know people make different choices at the time of seeking information. We divided the sources of information and advice into two groups, social networks on the one hand, and institutions, on the other hand. The table above shows the specific options people could choose in the survey.

## Income is a predictor of seeking legal information and advice

### USE OF LEGAL INFORMATION AND INCOME



Richer people are more likely to seek legal information and advice. This holds for both formal and informal sources.

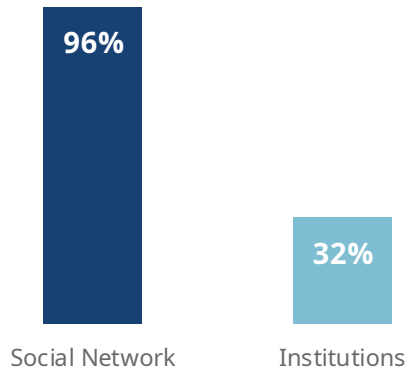
There are no significant differences between men and women.

LEGAL INFORMATION & ADVICE

3

# Everyone consults with someone from their inner circle

## SOURCES OF LEGAL INFORMATION

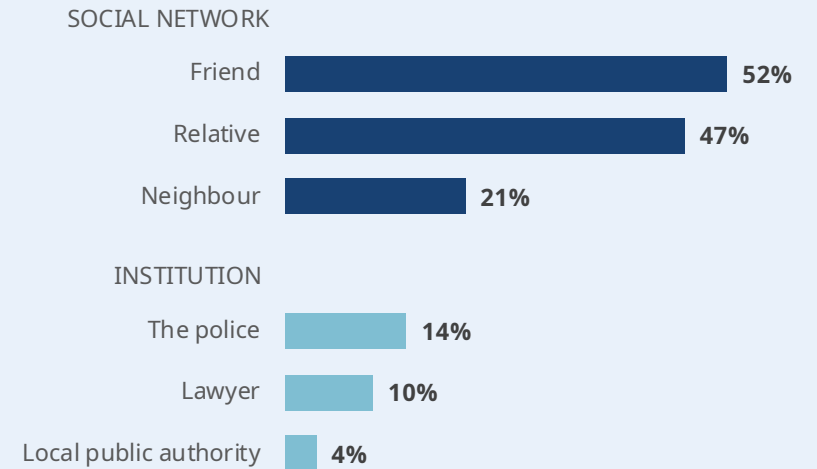


*As a percentage of people who sought legal information and advice*

n=3220



## MOST COMMON SOURCES OF LEGAL INFORMATION & ADVICE



## LEGAL INFORMATION &amp; ADVICE

3

## Social network

Almost all individuals (96%) who need to resolve a legal problem and look for information and advice seek help from somebody from their social network. Most often, people seek information from relatives and friends. The combined information received from friends, relatives, neighbours and colleagues account for two thirds of the information received. Even for problems related to police people will seek support from the people whom they know and trust. In addition, 7% ask for information from community and traditional leaders.

## Institutional sources of legal information and advice

We define a set of justice sector providers as institutional sources, because they are expected to possess a certain standard of delivering legal information. See the table above for the list of all institutional providers.

Institutional sources of legal information and advice are used significantly less often (around three times less) than social network sources.

Focusing only on people who used legal information and advice from formal sources, we see that police and lawyers are the two most frequently used options.

When we look at all people who experienced a problem, only 14% seek information from police and 10% use the services of lawyers to resolve their legal problems.

Local public authorities are significantly less often contacted for the provision of legal information. For instance, for questions related to obtaining ID documents, more people go to ask a community or a religious leader than to local public authorities.

## Accessibility of professional legal services

Richer people are significantly more likely to obtain legal information and advice from a lawyer. People from this category are more than three times more likely to report contacting lawyers, compared with the people who consider themselves poorer. High income people are also 1.5 times more likely to use the services of a lawyer than those from the middle-income group. The link between wealth and the ability to consult a lawyer is corroborated through other socio-economic features such as work status and home ownership.

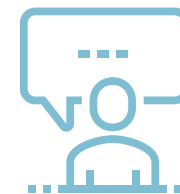
Similarly, formal education level is positively related with the likelihood of using legal information and advice from lawyers. People with a higher level of formal education consult lawyers significantly more often. There is one big exception: respondents

without formal education. People from this category report more often consulting a lawyer compared with those with a low level of formal education.

People living in urban areas are slightly more likely to consult a lawyer than those in rural areas.

When we look at the use of information from lawyers per type of legal problem, we see that lawyers are consulted most often for land disputes. More than one quarter of the people who had to deal with a legal problem and sought legal information around land received information from a lawyer.

Also, individuals who assess the impact of their problem as severe are much more likely to have received legal information from a lawyer.

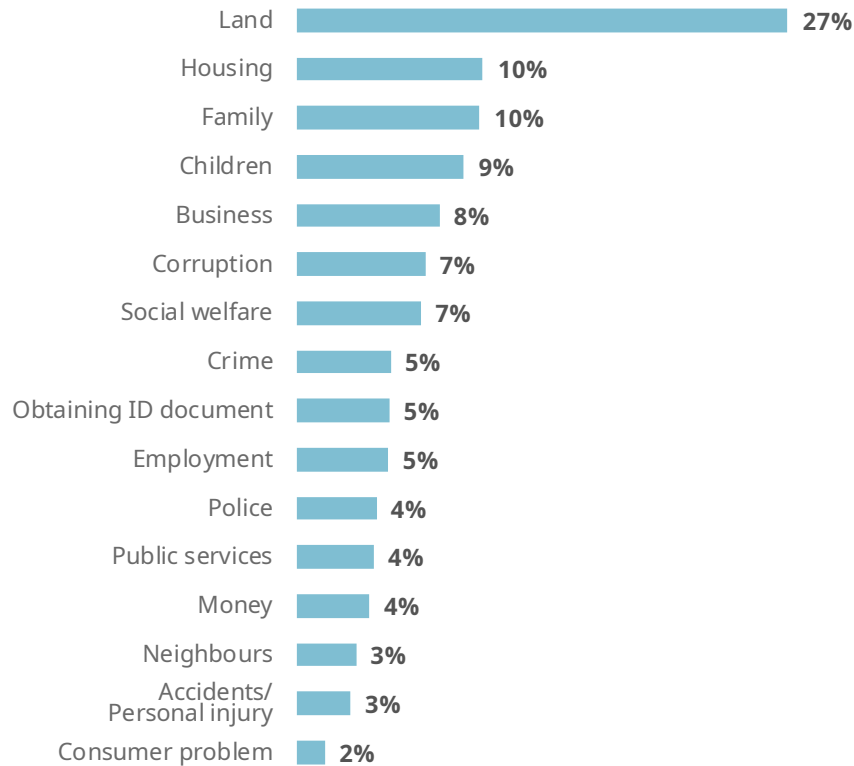




## LEGAL INFORMATION &amp; ADVICE

3

## INFORMATION FROM A LAWYER



On average, people with legal problems consult two sources of legal information and advice. Individuals who receive legal information from professional sources report on average 2.7 sources. For comparison, those who do not proceed to formal sources report less than 0.8 sources.

## Lawyers and other institutions are considered helpful in providing legal information

Which sources of legal information are perceived as most helpful? Friends and relatives are very popular choices. However, in terms of relative helpfulness, lawyers are seen as the most helpful provider of legal information.

We define relative helpfulness as the ratio between the number of people who contacted a particular source of legal information and advice and the number of people who identified it as the most helpful source.

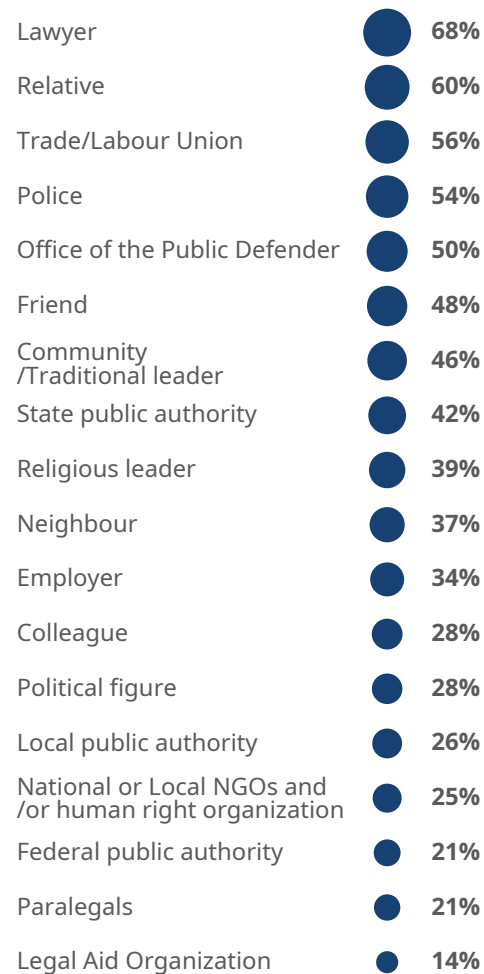
The perceived high value of lawyers is understandable, but it is difficult to explain why paralegals and legal aid organizations are seen as not particularly helpful.





## Media as a source of legal information, and its potential

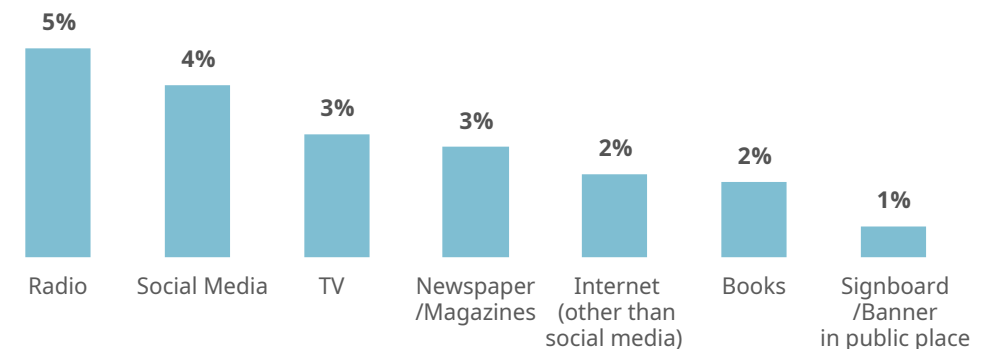
### HELPFULNESS. PERCENTAGE OF USERS



Less than 10% of the people in Nigeria seek and receive legal information from electronic or printed media sources (including the Internet). Just below 5% of the individuals who encountered a problem, obtained information from a radio broadcast. Social media, TV, printed media and web sites follow, but are not widely used.

This finding can be seen as an opportunity. Reliable and targeted legal information can be delivered efficiently on radio, the Internet and social media. The scalability of such distribution channels is immense. There is a huge role for legal innovators to play in this domain.

### LEGAL INFORMATION FROM MEDIA



## LEGAL INFORMATION &amp; ADVICE

3

## Reasons for not seeking legal information and advice relate to helplessness

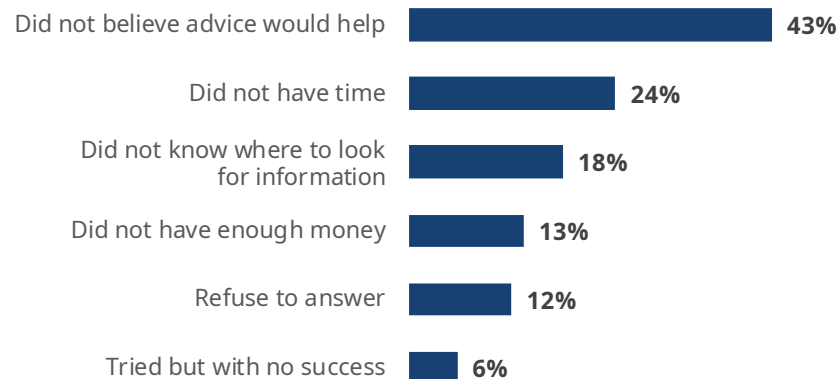
Recall that one in four users of justice in Nigeria do not approach people or institutions to gather information about their legal problem.

The most frequently reported reason for not seeking further information about the experienced problem is

the lack of belief that additional information would bring about positive results.

Concerns about time indicate that the justice journeys in Nigeria are seen by many as lengthy and time-consuming.

### REASONS FOR NOT GETTING LEGAL INFORMATION



## Conclusions

Access to legal information is unequal in Nigeria. Poorer people receive less, and less professional, legal information. Wealthier people receive more.

There are very few, if any, competent and useful providers of information about dealing with legal problems at community level. When dealing with legal problems, the people of Nigeria face a binary choice – ask someone around them or look for a provider who is most likely not very close to them.

Many people say that they sought legal information and advice – 72%. Those who did not seek legal information and advice have, on average, a lower income.

People seek legal information and advice on average from two sources. Those who seek information from institutional sources report on average 2.7 sources. Respondents who do not use institutional providers report fewer than 0.8 sources.

Legal information is provided mostly

by the social network. Almost everyone who experienced a legal problem sought information from a non-professional source. By a large margin, friends and relatives are the most frequently used sources of information about legal problems. But lawyers are assessed as the most useful source of advice. When people have to choose among a more diverse set of advisers they rate better the more professional sources: lawyers, the police, public institutions.

Around one in three people who experience a problem go to a professional source of information and advice

Private and legal aid lawyers are used rarely. One in ten users of justice consulted a lawyer and very few reported engagement of a provider of legal aid.

Information from electronic and printed media is rarely used. This can be seen as an opportunity for targeted public policies and programmes, as well as for justice innovators.



# 4

## Dispute Resolution

How many Nigerians act to resolve their legal problems?

Problem solving strategies

Barriers to action

Most effective dispute resolution mechanisms

Resolution rates

Costs and quality of justice journeys

# Introduction

In this section, we will go deep into the ways people try to resolve their legal disputes. This is the final step of the justice journey, an analysis of which allows us to evaluate what works and what does not work in terms of access to justice.

Differences in income affect how likely it is that a person will act to resolve their legal problem. Variation of income is also associated with the types of dispute resolution mechanism

that people use. Most importantly, income is also related to the extent to which legal problems are perceived as resolved.

We invite you to discover how Nigerians try to resolve their legal disputes and how they rate the costs and quality of the legal procedures and outcomes.

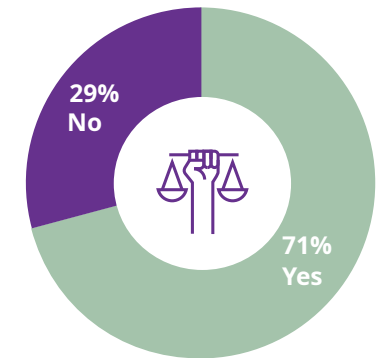


# Seven out of ten Nigerians try to resolve their legal problem

Most Nigerians take active steps to resolve the legal problems they encounter. Recall that more than 25 million people per year encounter a legal problem. Almost 18 million people attempt to achieve resolution to their disputes. This means that more than 7 million decided not to take any action. We start by analysing how likely a person is to take action.

The table below shows that people who seek legal information and advice are more likely to take action, but the percentage of those who act without having access to information is high, at almost 40%.

DID YOU TAKE ANY ACTION TO RESOLVE YOUR LEGAL PROBLEM?



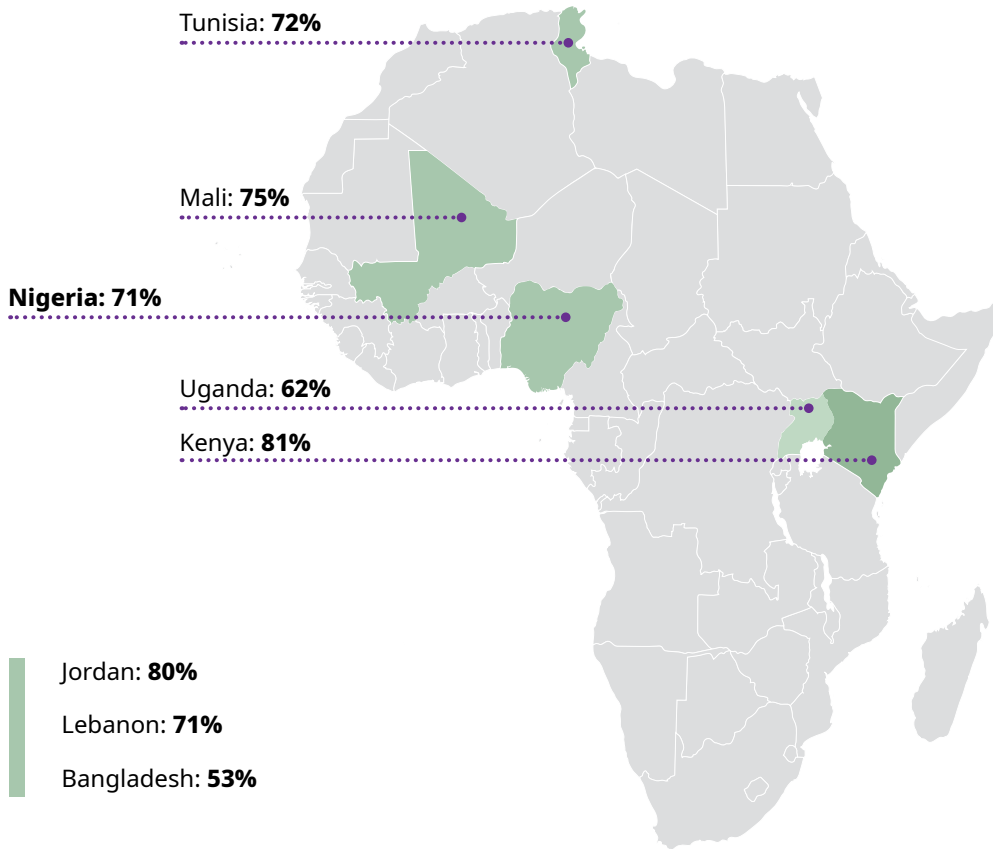
		Action	
		No	Yes
Info & advice	No	61%	<b>39%</b>
	Yes	16%	<b>84%</b>

DISPUTE RESOLUTION

4

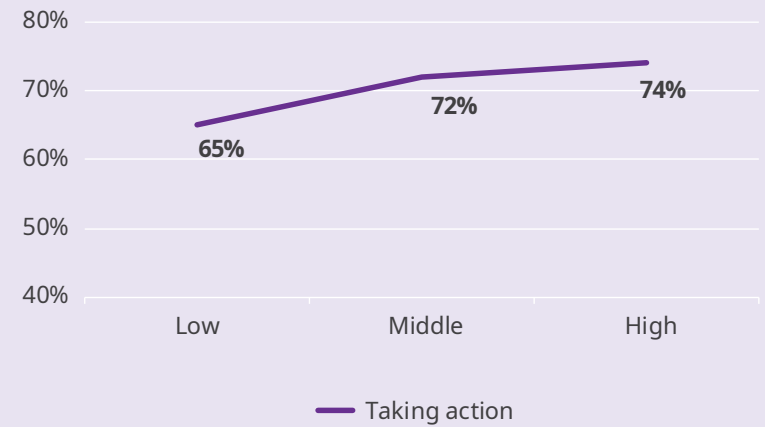
Comparatively, there is a wide range in terms of the percentage of people taking action to resolve legal problems. The map below shows how Nigerians rank, in the middle of the range, approximately.

INTERNATIONAL COMPARISON - PEOPLE TAKING ACTION:



People on low incomes, as well as people with low levels of formal education are less likely to act to resolve their problems.

ACTING TO SOLVE THE PROBLEM BY INCOME LEVELS

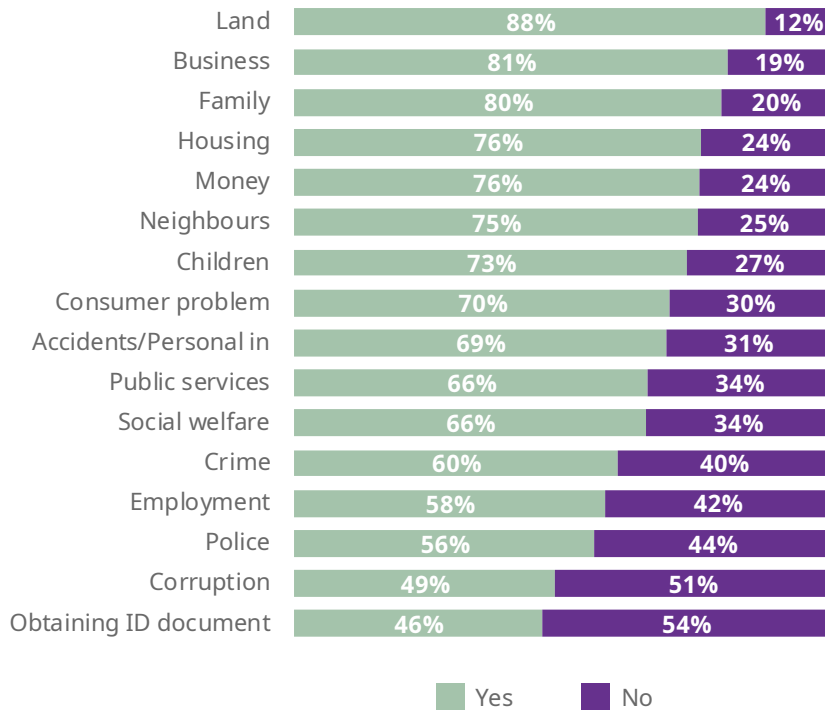


DISPUTE RESOLUTION

4

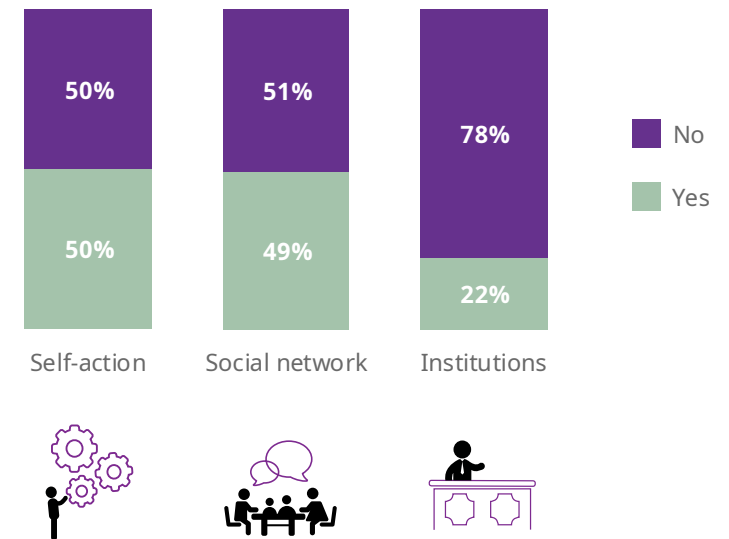
The decision to act depends on the type of problem people face:

ACTING BY PROBLEM CATEGORY



# Self-action or the social network for half of Nigerians: Institutions rarely engaged

HOW DO NIGERIANS TRY TO SOLVE THEIR DISPUTES?



As a percentage of all people with legal problems

Above-average action rates are evident for categories that are highly impactful, such as land and family. Below-average categories also include impactful problems such as crime and employment.

People are less likely to act if the other party is a public authority, the police, or a private company.

DISPUTE RESOLUTION

4

In this section, we investigate the types of action people take.

First, we divide actions into three categories: self-action; through social networks or trusted persons such as family and friends; and through formal justice institutions.

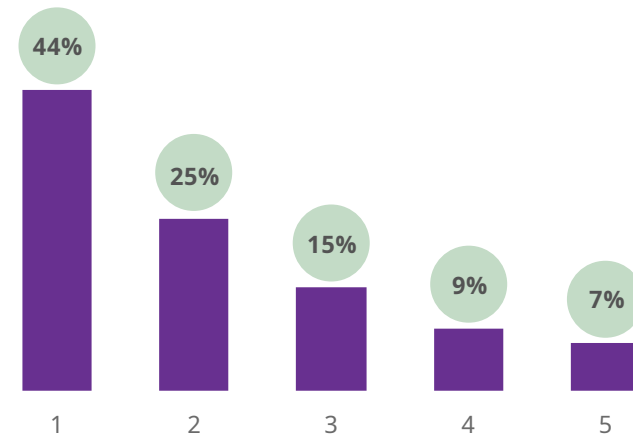
The average number of actions of those who act is 2.4. When we separate actions by category, we see that all the categories fall within 1 and 1.5 average actions, meaning that people tend to prefer only one action from each category, but also tend to combine categories.

Category of action	Average number of actions
Overall	2.4
Self-action	1.3
Social networks	1.5
institutions	1.2

Almost 70% of the people who took action engaged in two actions or fewer.

Those who pursue five or more actions tend to have problems around land, crime, family and neighbours, in this order.

NUMBER OF ACTIONS PER PERSON





DISPUTE RESOLUTION

4

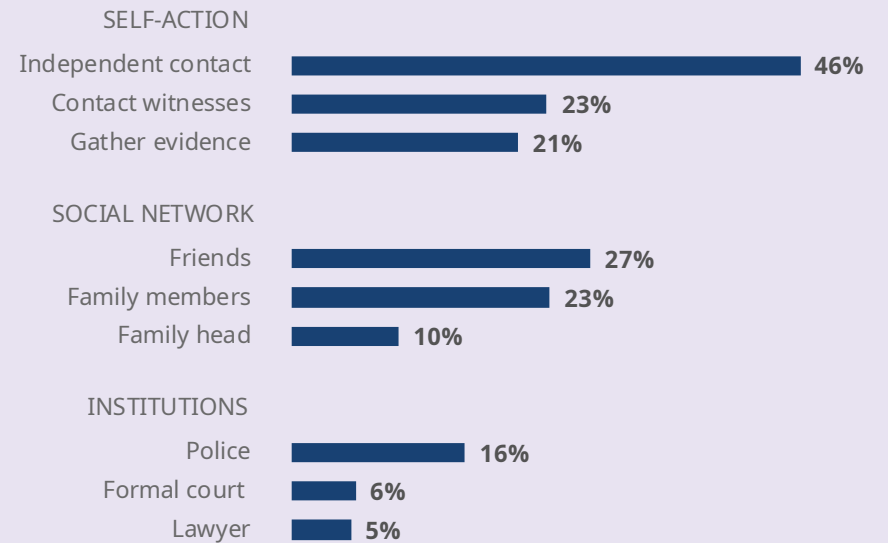
Dispute resolution mechanisms included in the study:

Self-action	Social network	Institutions
Independent contact	Friends	Formal courts
Contact witnesses	Family members	Customary courts
Gather evidence	Family head	Sharia courts
Other	Colleagues	Local public authority
	Employer/HR	Office of the Public Defender
	Community organisation/ political party	Office of the Public Prosecutor
	Religious authority (e.g. Pastor, Imam, etc)	Local NGOs and/ or human rights organization
	Respected community member (e.g. LGA Chair, etc)	Federal public authority (e.g. NAPTIP, etc)
	Neighbours	Police
	Trade/Labour Union	Lawyer
	Other	Paralegal
		Other

Only two out of ten Nigerians engage formal institutions to resolve their legal problems.



TOP THREE ACTIONS BY CATEGORY



The graph above shows the top three preferred types of action by action category that Nigerians use when trying to resolve a legal dispute. For instance, the first bar means that 46% of all the people who took action reported contacting the other party independently; the first blue bar under the “social network” subtitle means that 27% of the people who took action

involved their friends to resolve their problem; and 16% of those who took action engaged the police.

Those on low incomes are less likely to take individual actions, and when they do, they are less likely to involve witnesses than other income groups.

DISPUTE RESOLUTION

4



People rarely engage formal institutions and when they do, they go to the police. This might be related to crime being one of the most prevalent problems for Nigerians. However, participants in the triangulation workshop added that the police is the first point of contact between citizens and institutions. The police sometimes gets involved in dispute resolution due to their availability: *“the police is acting as an Alternative Dispute Resolution mechanism without ever having been trained. The police have worked as a dispute solver – worked to solve issues before they got to court. Some people will not accept ADR. They have a mind-set that they will never loose. The police need more training.”* Only 11% of the people who act engage formal courts and lawyers, combined.

Regarding the question of why people engage the police, participants in the workshop mentioned, *“people go to the police because you get quick solutions. They will back you up with what you can afford or what they think/feel. That may not be legal justice.”* With legal justice understood as obtaining an outcome that might have followed a proper legal procedure.

**Those on low incomes are two times less likely to engage courts (4% compared with 8%) and more than three times less likely to engage lawyers (3% compared with 10%) than wealthier people. The situation is the same repeated unemployed people.**

Respected community members, local and religious, deal with a number of problems that is slightly larger than of courts and lawyers (around 8%). Poorer people use these communal mechanisms slightly more often than richer people.

We asked the people who did not try to take their case to formal courts, their reasons for not doing so. This was an open-ended question.

The costs of court procedures: A lack of money to pay court fees or a lawyer is the most frequent type of answer. A lack of time was also cited.

Resolution outside the courts: Some people preferred to keep the courts out of their problem because they preferred other mechanisms, such as the police, or family members, probably because of the type of problem, for instance, crime. Other disputes are considered not important enough.

Another group expressed a lack of knowledge regarding court procedures.

During the triangulation workshop, participants explained that the biggest share of monetary costs for court procedures corresponds to lawyers’ fees, not the courts themselves.

Problem categories where Independent contact is not the most preferred action

Category	Mechanism	Percentage
Family	Family members	48%
Crime	Police	40%
Social welfare	Friends	35%

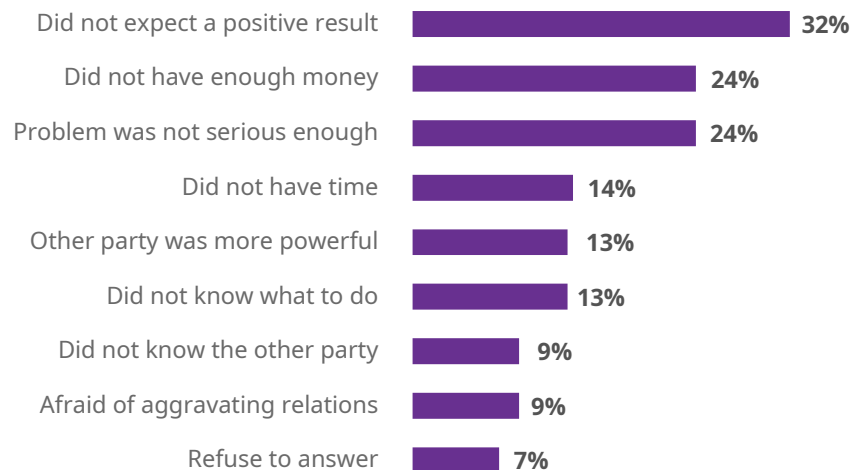
## DISPUTE RESOLUTION

4

## Hopelessness and lack of money: the biggest deterrents to action

We asked people who did not act (29%) why they remained inactive when facing a legal dispute.

### REASONS FOR NOT TAKING ACTION



Again, differences in income reflect different reasons why certain people do not act. The order of reasons for those on low incomes is different from the one that aggregates everyone that did not act.

First, not having enough money is the most common reason for inaction in the low-income group: Almost ten percentage points more common for those on low incomes (26%) compared with wealthier respondents (17%).



DISPUTE RESOLUTION

4

# What dispute mechanisms are available, and how satisfied are users?

We not only asked people what types of dispute resolution mechanism they used, we also asked them, out of all the options they engaged, which was the one that helped them the most through the justice journey.

– independently contacting the other party - is satisfying to less than 50% of its users. Ideally, effective institutions need to increase their accessibility, and accessible institutions need help to become more effective at bringing justice to people.

The graph below shows a simplified version of how accessible mechanisms are (in other words, the percentage of people engaging them), on the horizontal axis. We added another dimension: the percentage of users who are satisfied with the mechanism, which we call satisfied users, on the vertical axis.

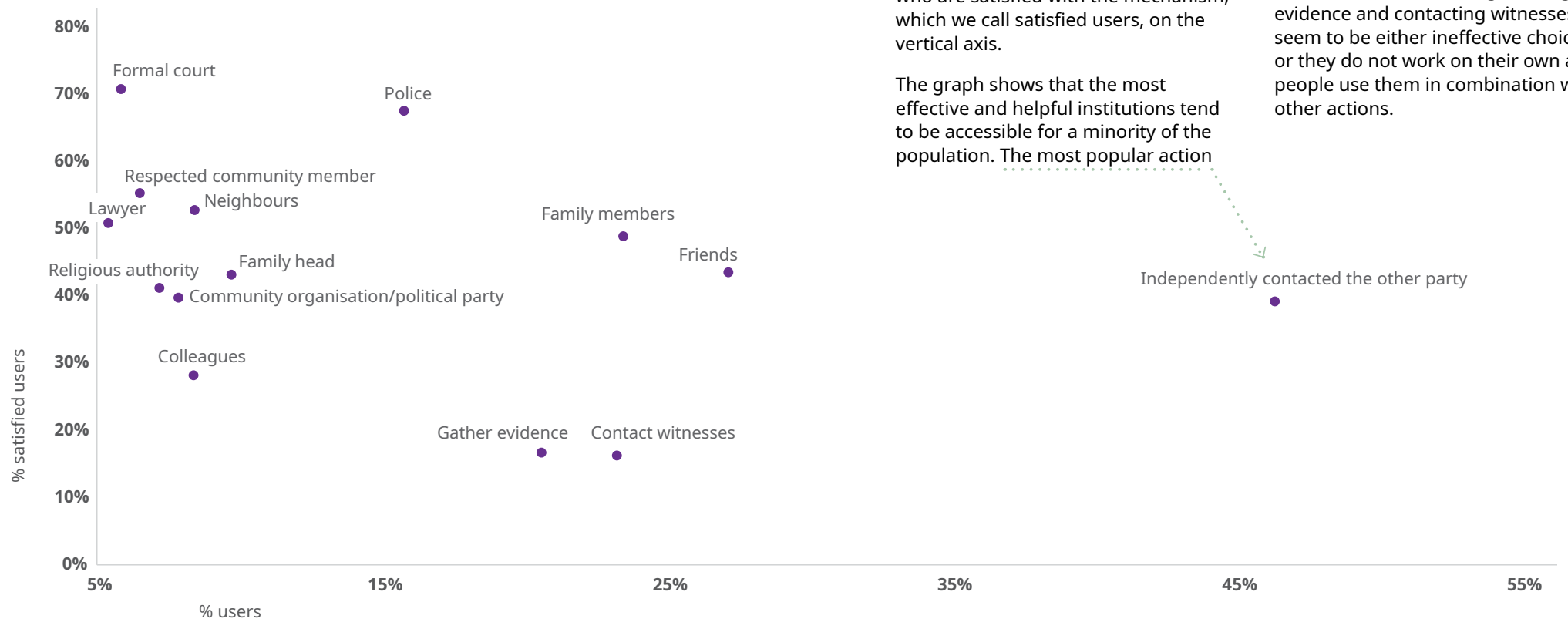
**People perceive courts and lawyers as very effective.** Their users see them as helpful. But the reality is that few people have access to them.

A cluster of self-actions (gathering evidence and contacting witnesses) seem to be either ineffective choices, or they do not work on their own and people use them in combination with other actions.

The graph shows that the most effective and helpful institutions tend to be accessible for a minority of the population. The most popular action

Independently contacted the other party

RELATIVE HELPFULNESS OF DISPUTE RESOLUTION MECHANISMS

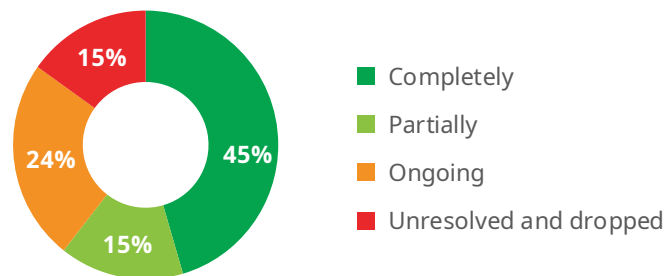


DISPUTE RESOLUTION

4

# Legal dispute resolution rates are high in Nigeria, but the magnitude of problems is big as well

HAS YOUR PROBLEM BEEN RESOLVED?



Four out of ten Nigerians that took action report their problem completely resolved. If we include those who partially resolved their problem, the proportion rises to six out of ten people.

Still, 40% had not achieved resolution by the time of the interview. Together with those who did not act, those who ended their justice journey before even starting, amounts to almost **14 million people with unresolved legal problems per year.**

Country	Resolution rate*
Lebanon	47%
Kenya	46%
Jordan	45%
Uganda	40%
Bangladesh	39%
Tunisia	22%

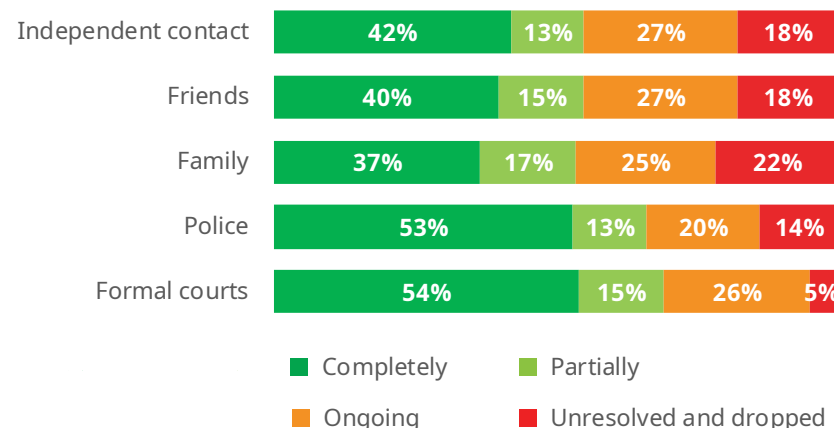
*As a percentage of initiated procedures, including total and partial resolution*

Resolution rates, however, vary according to the type of preferred action and problem category.

Satisfied court users report above average resolution rates, as well as those who said the police was the most helpful mechanism. People who keep their dispute inside their families have lower resolution rates.

We find that those on low incomes are more likely to have their legal disputes unresolved, compared with other, better-off groups. Moreover, on average, the chances of obtaining an outcome increase in line with income levels. Richer people have access to more effective dispute resolution mechanisms.

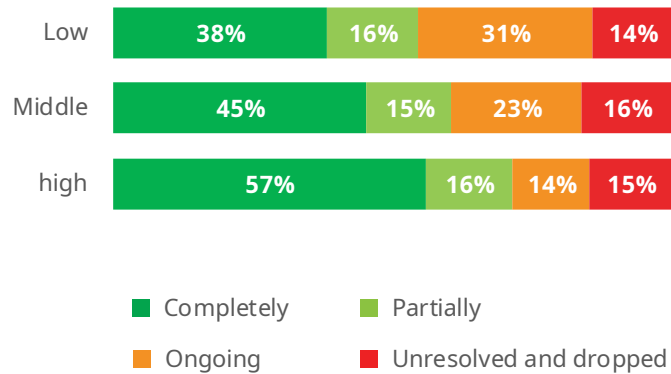
RESOLUTION BY POPULAR MECHANISMS



DISPUTE RESOLUTION

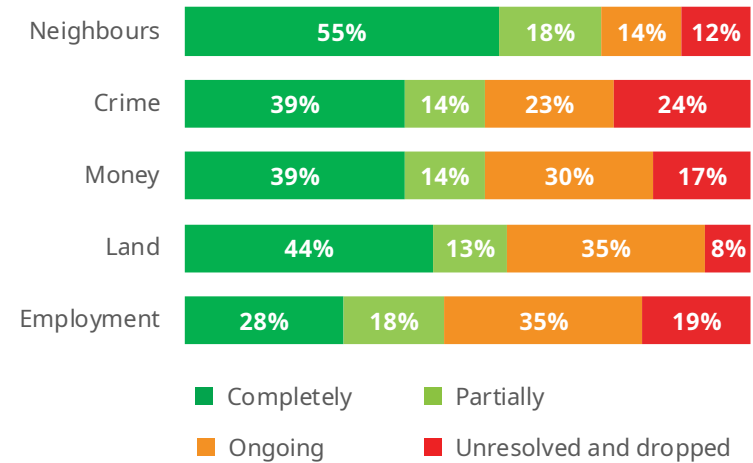
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RESOLUTION BY INCOME LEVEL



Participants in the triangulation workshop, when discussing the situation of vulnerable groups, said that people's choice of institutions for dispute resolution is tied to income: *"lawyers are too expensive. Traditional leaders are cheaper. The Police is also cheaper than courts."* Another participant stated that *"many people don't understand the level of poverty that exists. People are barely living from hand to mouth. They can't even travel to courts. They can't make phone calls. Even if they are aware, they can't access."*

RESOLUTION BY TOP 5 PROBLEM CATEGORIES



People with employment problems report the lowest resolution rates. Also noticeable is that almost a quarter of crime-related procedures are dropped without any resolution.

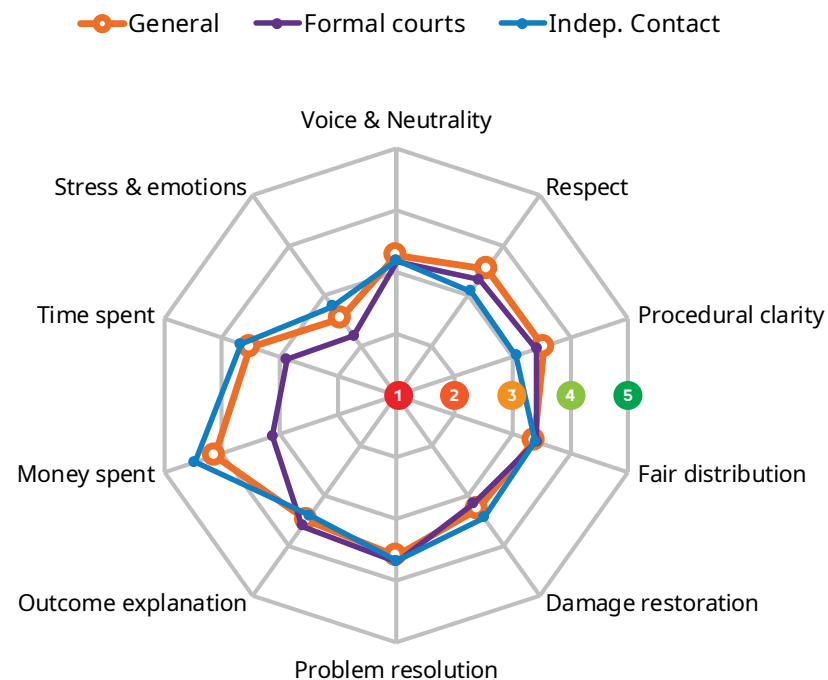


## DISPUTE RESOLUTION

4

# Evaluation of justice processes is positive for informal justice

## RELEVANT DISPUTE RESOLUTION MECHANISMS



As explained at the beginning of this report, the spider web chart helps us to visualize how users of justice rate their journeys in terms of costs, quality of procedure and quality of outcome of the justice journeys in ten aspects. While the cost and quality of procedure questions were asked to every person who took action, questions about quality of the outcome were asked only to those who received an outcome.

Nigerians do not spend too much money on resolving their legal problems. This is probably explained by the predominance of individual actions and the engagement of informal, social network neutrals, who tend not to charge for their services. In fact, almost 50% of the people used mechanisms without spending a single Naira.

Nigerians also rate their justice journeys slightly above average in aspects gauging the quality of procedures and outcomes. However, aspects such as damage restoration show room for improvement.

On the same graph we include the most commonly engaged dispute resolution mechanism, independent contact with the other party (blue line),

and formal courts (purple line).

Nigerians that engage in independent contact with the other party spend less money than average, but are less satisfied in terms of procedures and outcomes, particularly in terms of respect and clarity of the procedure.

On the other hand, people are more critical about the accessibility of formal courts: monetary, time, and emotional costs of court procedures score very low. This means not only that people spend significant amounts of money on court and lawyers' fees, but also that they have to use a lot of their spare time on the process that they might prefer to use for other activities. People also express a great deal of frustration and anger over court procedures.

Participants in the triangulation workshop, when discussing the evaluation of courts procedures, said that costs are connected to time. *"If can afford a lawyer, but cost-benefit analysis for longer term, people will not go to courts, because they don't want to be caught in procedures for years."*

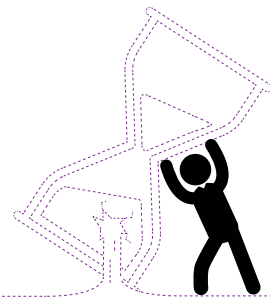
DISPUTE RESOLUTION

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Time-consuming processes are common in Nigeria in different aspects of law. Moreover, the consequences of long processes are disastrous. For instance, the Chief Justice of Nigeria, Justice Walter Onnoghen said in June 2018, delay in justice delivery scares away investors<sup>6</sup>.

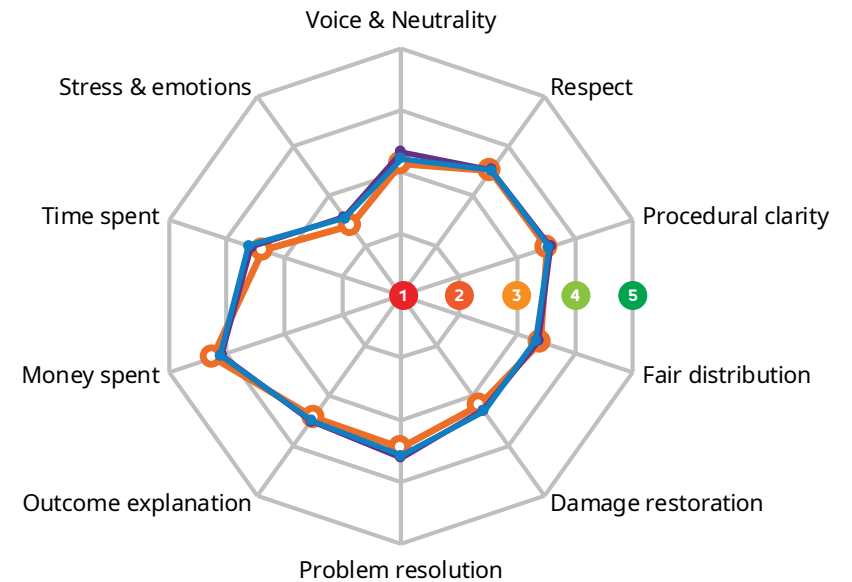
Formal courts provide better service in terms of problem resolution and explanation of outcomes, which is a positive thing, and approach the average rate with regards to fair distribution.

In consequence, increasing the accessibility of courts seems like a reasonable recommendation for improving access to justice in Nigeria.



JUSTICE JOURNEYS BY INCOME

Low Middle High



Nigerians of different income groups tend to experience justice in a similar way, which is a positive finding. Nonetheless, those on low incomes rate stress and outcomes more negatively than other income groups.

<sup>6</sup> <http://www.tribuneonlineng.com/delay-in-justice-delivery-scars-away-investors-%E2%80%95cjn/>



## The story of Emmanuel

*I am married with three children from Gwagwalada City, and I don't have a job, but have been searching for a few months. I met someone who told me that there is a job opportunity at a company, but I had to pay him some money, even when we know that paying some money is not normal way to get a job. But you have to comply else you remain perpetually an applicant.*

*He said that I should pay 300000 naira. I was able to raise part of the money and I had to borrow from a co-operative society with interest to complete the amount.*

*After having paid, the man started turning me up and down, tossing me, and telling me stories. At the end of it, he ended up giving me an appointment letter, which happened to be fake.*

*I went to the organization, and then I realized it was fake. What do I do? I met the man and I told him "Oga (master) see, this is what is happening, you should refund me my money". At the end, he agreed to refund me. He gave me a date to pay me the money, but after three*

*months he has not given me the money and my interest in the co-operative society is accruing. I need to recover that money, so I went to the police station to report the case.*

*Even the police were not even helping me at all. As I speak to you now, the N300,000 has increased to N350,000 with the interest so that is what I am passing through right now.*

*This problem is affecting me psychologically. I no longer concentrate; the people that lend me money are mounting pressure on me, even to raise money elsewhere now I find it very difficult.*

*I was thinking of going to court since the man has disappointed me, but a friend advised me that, if I go to court, the court would ask this man to repay me in instalments. This would also affect me because the interest on the fund keeps increasing. It has thrown me off balance.*

## Conclusions

Nigerians are very active when attempting to obtain fair and effective resolutions to their legal problems. Seven out of ten people who have experienced a legal dispute in the last four years try at least one of the actions from the categories of self-action, social network, or institutions. In terms of problem categories, people with land problems usually try to resolve their problems, while people with impactful problems, such as those related to employment, police and crime, have below average resolution rates

Despite this high level of action, Nigerians predominantly prefer to engage in direct contact with the other party, or involve people from their inner circle, family and friends. This means that people rarely involve formal institutions, such as customary courts or formal courts, lawyers, and other federal and state institutions. Only two out of ten do so.

People on low incomes rarely engage courts or lawyers. They are a privilege of wealthier people. People on low incomes are two times less likely to engage courts (4% compared with 8%) and more than three times less likely to engage lawyers (3 % compared with 10%) than wealthier people.

Those who do not act argue with a sense of hopelessness that they believe that a positive outcome would be difficult to achieve. A quarter of the people also state that they did not have money to pay for a procedure. This was even more the case for those on low incomes, as this was their most common reason for not acting.

When we evaluate how helpful the disputes mechanisms are, in comparison to how accessible they are, we find that the most helpful institutions, such as courts, are rarely accessible. Less than 50% of the people who selected this option reported it as the most helpful.



# 5

## Trust and Legal Empowerment

Trust in institutions  
Perceptions on courts  
Legal empowerment

# Introduction

Do Nigerians trust their government, the police and NGOs? Do they express more trust in informal justice mechanisms than in formal courts? Do Nigerians feel empowered when faced with a legal problem? This chapter explores these and similar questions.

We evaluate people's trust in the Nigerian justice institutions, take a closer look at their perceptions of courts and measure their legal empowerment in a set of hypothetical situations.

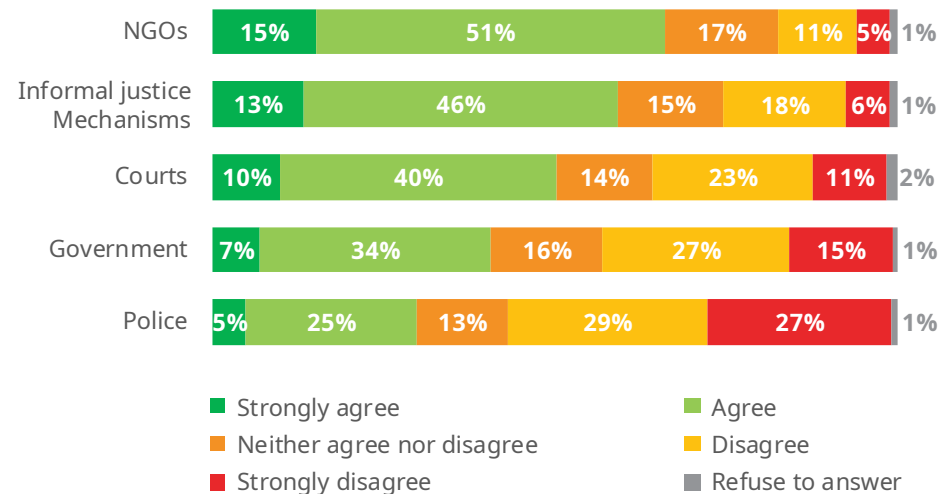
# Trust is highest in NGOs and lowest in the police

There are clear differences in the level of trust that people express in the justice institutions. Some people show strong trust in a certain institution, while other people express strong distrust in the same institution. The differences are especially pronounced

for people's opinions about the police. Interestingly, the police are the institution in which average trust levels are the lowest. There is a clear link between low average levels of trust and a polarized opinion of the population.



## I TRUST...



## TRUST &amp; LEGAL EMPOWERMENT

5

- Overall, people with no or low levels of formal education and people who live in rural areas exhibit more trust in informal justice mechanisms, the police and the government than other Nigerians.

## Courts:

- Younger people express slightly more trust in courts.
- Trust in courts is slightly higher among Nigerians living in rural areas.

## Informal Justice Mechanisms:

- Trust in informal justice mechanisms is much higher among Nigerians with no or low levels of formal education. This group expresses higher levels of trust than those with higher levels of formal education (72% agree or strongly agree compared with 58% agree or strongly agree)
- Trust in informal justice mechanisms is higher among the rural population (65% agree or strongly agree) than in the urban population (55% agree or strongly agree)

## Police:

- Nigerians with no formal education express the highest level of trust in the police (43% agree or strongly agree), compared with other levels of formal education.

- Trust in the police is higher among the rural population (36% agree or strongly agree) than among the urban population (25% agree or strongly agree)

## Government:

- Nigerians with no formal education or low levels of formal education express considerably higher trust in the government than people with a medium or high level of formal education (52% and 50% compared with 41% and 31% agree or agree strongly).
- Trust in the government is higher among the rural population (46% agree or strongly agree) than among the urban population (36% agree or strongly agree).

*"A good number of citizens have lost faith in the system. [For instance] Someone goes to the police. They [the police officers] first start complaining about not having pen and paper. They don't listen to the problem of the citizen. On the other hand, the police goes to an arrest in the car of the complainant. That is not fair"*

*"Lack of accountability, low trust, and corruption – are key explainers for lack of trust in formal institutions."*



## TRUST &amp; LEGAL EMPOWERMENT

5

## Courts perceived as protecting the interests of the rich and powerful

In previous chapters, we have seen that only 8% of the Nigerians who take any action to resolve their legal problem engage formal courts. Among Nigerians on low incomes, this percentage is even lower (4%). When asked in an open question why they did not engage formal courts, most people stated that the issue was not serious enough to warrant court procedures or that they did not have enough money to pay for them. However, we also observed the following answers:

*"I don't have time for court, cost of their lengthy processes and unfair judgments"*

*"They are working hand in hand with the government"*

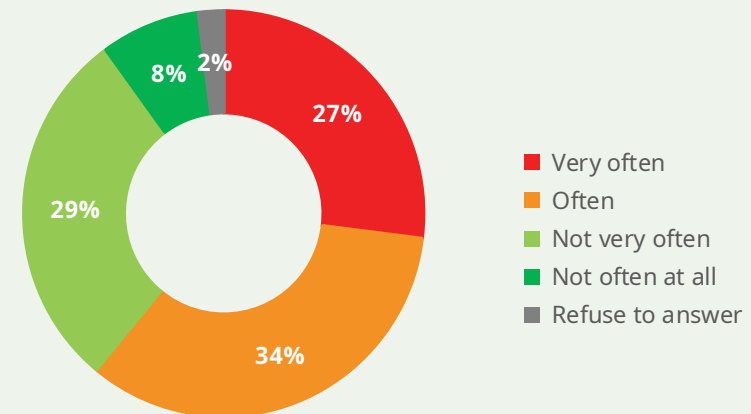
*"Unfair justice"*

*"Difficult, very lengthy process and lack of finance. And the fact that court mostly favours individuals with influence and money"*

In order to measure the attitude of the population towards courts, we asked four specific questions about the functioning of the Nigerian courts. Overall, the data shows that Nigerians are particularly worried about courts favouring the rich and powerful, and they are divided on their views on courts in other areas.



### COURTS GENERALLY PROTECT THE INTERESTS OF THE RICH AND POWERFUL ABOVE THOSE OF ORDINARY PEOPLE



There is no difference in how this question is assessed between people who had used the courts over the previous four years and those who had not.

TRUST & LEGAL EMPOWERMENT

5

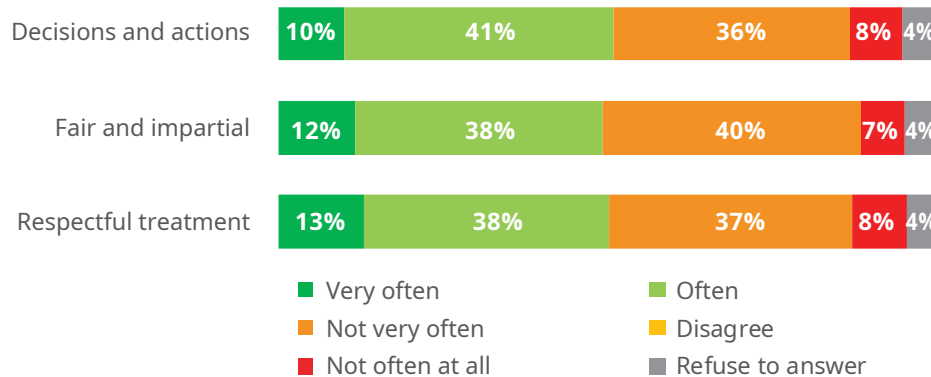
# Vulnerable groups evaluate courts less favourably

People were also asked about their specific perceptions of the Nigerian courts, based on four statements:

- i. Courts generally protect the interests of the rich and powerful above those of ordinary people
- ii. Courts make fair, impartial decisions based on the evidence before them
- iii. Courts generally treat people with respect
- iv. Courts generally explain their decisions and actions when asked to do so

- People in the lowest income group less often find that Nigerian courts make fair and impartial decisions than people in the highest income group.
- We observe a similar pattern for education levels: 44% of Nigerians with no formal education and 43% of Nigerians with a low level of formal education find that courts make fair and impartial decisions often or very often, while 50% of Nigerians with a moderate level of formal education and 52% of Nigerians with a high level of formal education find this.
- There is also an interesting difference based on age: 52% of young people find that courts make fair decisions often or very often, while only 36% of people over 65 do so.

EVALUATION OF COURTS



TRUST & LEGAL EMPOWERMENT

5

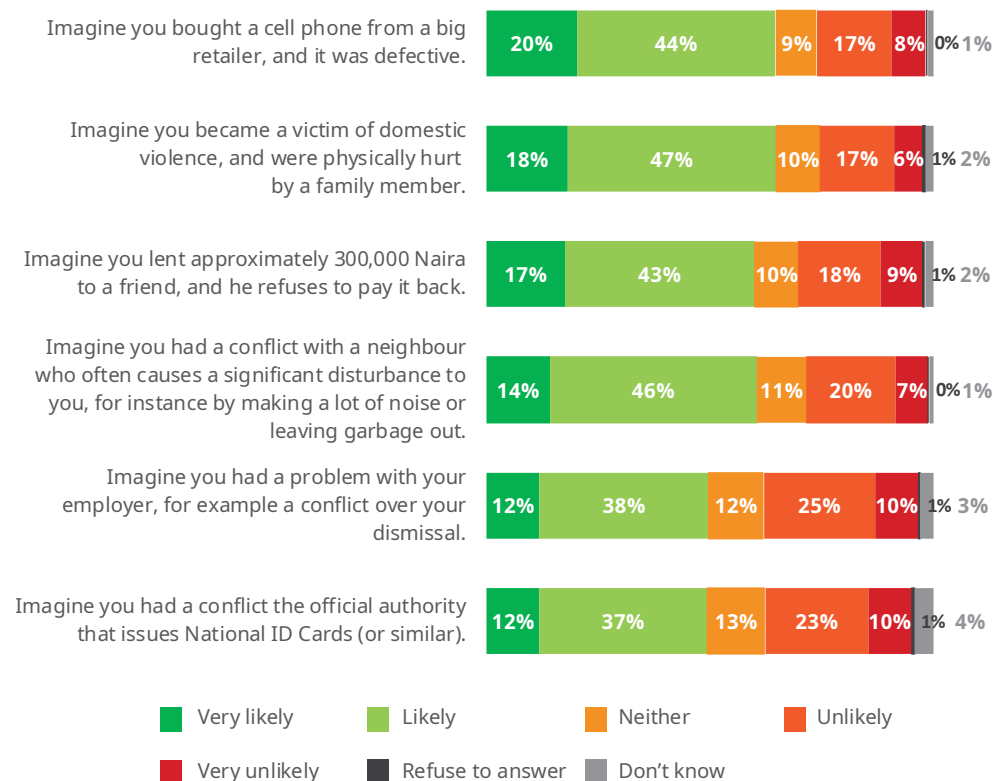
# Legal empowerment

To learn more about people’s perception of the justice system, we asked them to imagine a situation in which they have a specific legal problem, and to evaluate how likely they would be to receive a fair resolution. This is a measure of legal empowerment.

- Overall, the majority of Nigerians expects to receive a fair resolution in all scenarios presented to them. Compared, for example, to Kenyans<sup>7</sup> in the same scenarios, Nigerians feel more empowered.
- Nigerians are the least optimistic about achieving a fair resolution in cases related to the issuance of ID documents and conflicts at work. Recall that employment problems have one of the lowest resolution rates among all legal problems in Nigeria. It is not surprising that people are least optimistic about achieving a fair resolution.

- In almost all scenarios, Nigerians with no or low levels of formal education are less optimistic about receiving a fair resolution. This is surprising, since they consistently express higher trust levels in the justice institutions. One explanation might be that they would not engage institutions (including traditional mechanisms) for the types of problem that are described in the hypothetical scenarios.
- There is no difference among men and women regarding the probability of receiving a fair resolution in a case of domestic violence. Women feel equally empowered in receiving justice as men.

## HOW LIKELY IS IT THAT YOU WILL GET A FAIR SOLUTION:



<sup>7</sup> HiIL. 2018. Justice Needs and Satisfaction in Kenya.

## TRUST &amp; LEGAL EMPOWERMENT

5

# Conclusions

There is much variation in the average amount of trust in the different justice institutions in Nigeria, as well as in the level of trust that individual people have in a single justice institution. The evidence indicates that policy measures should particularly focus on the police and aim to improve the population's perception of it. Furthermore, trust levels overall are particularly low among the highly educated and urban populations.

While courts are evaluated as neither the most trustworthy or the least trustworthy justice institution in Nigeria, we observed a particularly worrisome impression: the majority of Nigerians believes that courts generally protect the interests of the rich and powerful above those of ordinary people.

Another interesting observation is that there seems to be a disconnect between expressing high levels of trust in justice institutions (including traditional justice mechanisms) and feeling legally empowered. In particular, Nigerians with no or low levels of formal education feel less legal empowerment although they express higher levels of trust in justice institutions.

In order to improve legal empowerment, Nigeria needs a coalition of driven stakeholders that actively promote the accessibility of justice institutions, especially among the least educated of the Nigerian population.







# 6

## Legal Problems of Women

- Legal problems close to home
- Access to legal information and advice
- Acting to solve the problems
- Resolution gap

# Introduction

Seven out of ten Nigerian women experienced a problem that they could resolve through legal means in the studied period. This implies roughly 12 million women experience one or more problems every year. This chapter maps out their justice journeys, with a specific focus on poorer women.



12 million women

experience one or more legal problems

# Demographic differences

Women generally have a slightly lower level of formal education than men, are much more likely to be married and do not have paid work as often as men do. This could indicate that they are in a more vulnerable socio-economic position than men, implying that different legal problems will potentially affect them differently.



## LEVEL OF FORMAL EDUCATION

	None	Low	Medium	High
Women	7%	8%	50%	35%
Men	4%	5%	47%	44%



## MARITAL STATUS

	Single	Married	Divorced	Widowed
Women	44%	52%	1%	3%
Men	63%	36%	0%	1%



## DO YOU HAVE PAID WORK?

	Yes	No
Women	50%	50%
Men	60%	40%

LEGAL PROBLEMS OF WOMEN

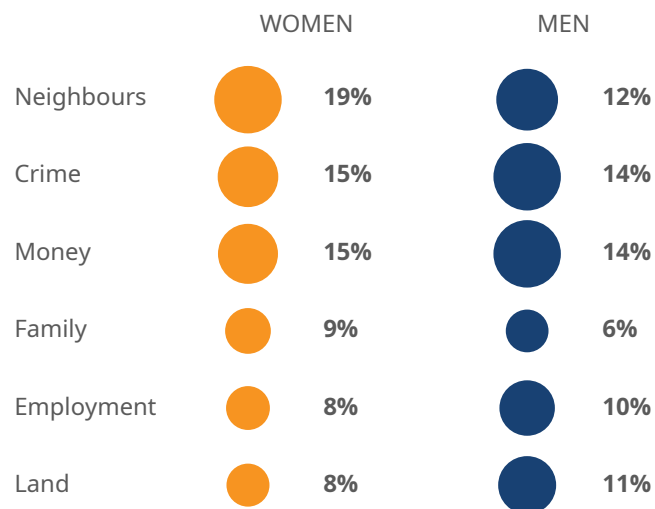
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# Legal problems for women are close to home

Women experience different problems than men. They have to deal more often with neighbour related disputes and family related conflicts. Men face more employment and land disputes. The top three categories of specific

problems women encounter are similar to men, with the exception of sexual assault. Women (9%) who report crime as their most serious legal problem are three times more likely to report sexual assault than men (3%).

MOST SERIOUS LEGAL PROBLEMS BY GENDER



Consequence	Women (%)	Men (%)
Loss of time	39%	44%
Loss of income	34%	41%
Stress related illness	30%	27%
Problems with relationships	30%	27%
Violence against you	15%	16%
Personal injuries	16%	15%

There are some important differences between women and men regarding the consequences of legal problems. Overall, men experience slightly more often loss of time and income than women.

When looking at the six problem categories specified above, we find the following additional differences:

- Women report more stress related illness (21%) because of money related disputes than men (14%).
- Women report more personal injuries (31%) and violence against them (27%) as consequences of family disputes than men (16% and 20% respectively).
- Men report more personal injuries (16% compared with 7%), violence against them (22% compared with 15%) and problems with relationships (39% compared with 32%) than women as a result of land disputes.

LEGAL PROBLEMS OF WOMEN

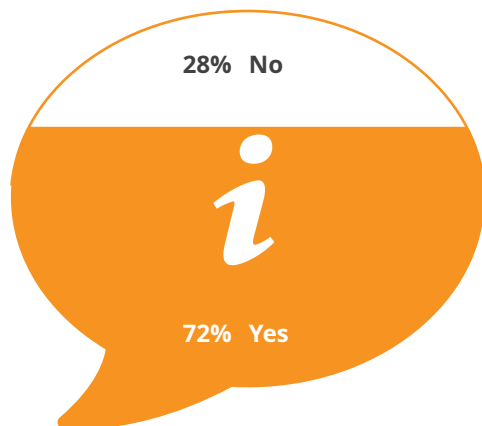
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# The social network is an important source of legal information

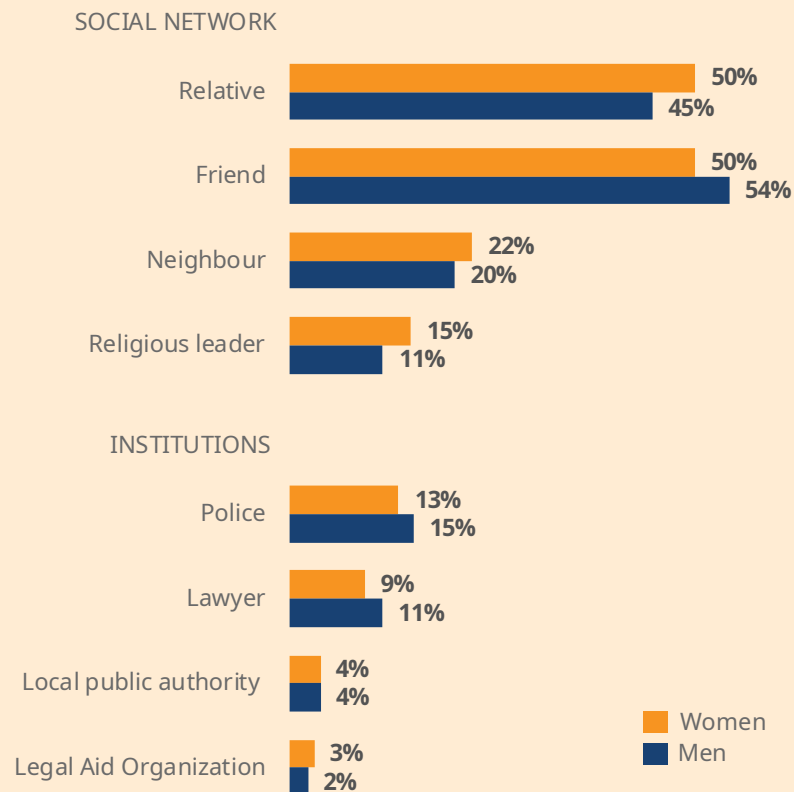
Women are equally likely as men to seek legal information and advice. Seven out of ten women opt to do so and start their justice journeys by informing themselves about potential pathways to a solution. The sources of information that are sought do not differ substantially between the

genders. Women are slightly more likely to go to relatives and religious leaders. Men, on the other hand, seek out their friends more often. Men also tend to use institutions more, even though their use is still far lower than the social network for both genders.

LEGAL INFORMATION AND ADVICE



TOP SOURCES OF LEGAL INFORMATION AND ADVICE



LEGAL PROBLEMS OF WOMEN

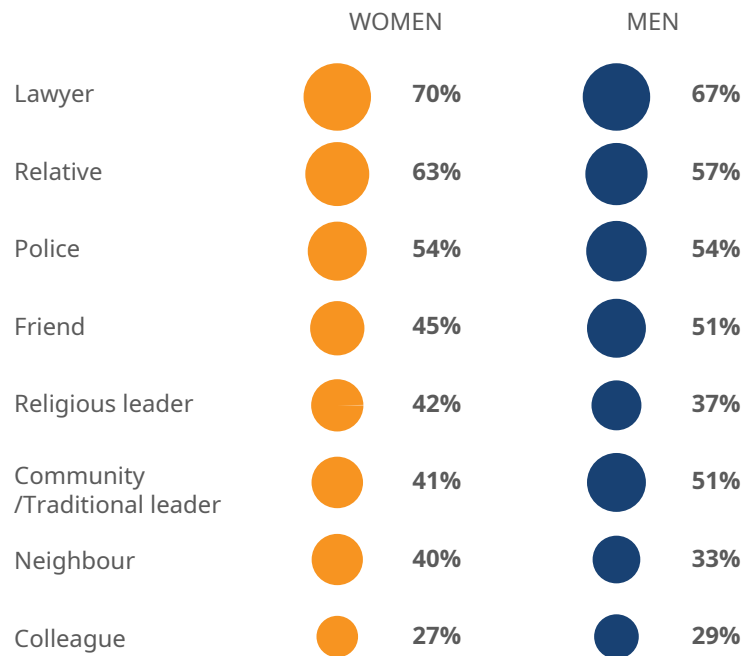
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Helpfulness of the different sources of information is rated in a relative way. The percentages indicate the ratio of the number of people who find a specific source most helpful to the number of people who use the source. Hence, even though lawyers are not used very frequently, they are still rated as most helpful overall.

The differences between women and men are minor, but women have a slightly higher preference for relatives, neighbours and religious leaders. Men rate the help from friends and community/traditional leaders as somewhat more helpful than women.

Reasons for not seeking information and advice are similar for men and women. The most important reason is not believing advice would help, followed by a lack of time and not knowing where to look for advice.

MOST HELPFUL SOURCE OF LEGAL INFORMATION & ADVICE



## LEGAL PROBLEMS OF WOMEN

6

## Poorer women are less likely to act to resolve their problem

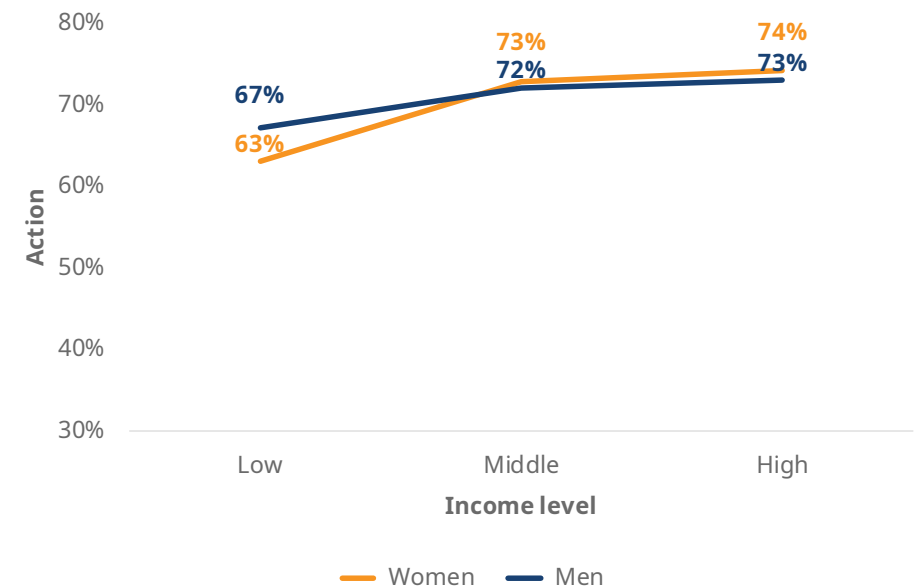
When looking at the overall willingness to take action, there is no real difference between women and men. For both groups, approximately seven out of ten people take some sort of action to resolve their legal dispute. An important exception is found for crime, with women (55%) less likely to take action than men (65%).

Additionally, when we look more closely at income levels, we quickly find that poorer women are less likely to act than others, implying that the vulnerability of this group is further amplified. These women also use fewer mechanisms on average, at 2.0 compared with 2.4 for wealthier women. This implies they seek out fewer alternatives for resolving their conflict.

Participants in the triangulation workshop identified the cultural reasons that may explain the differences in accessing justice for women: *“In Nigeria it is seen that a man is above a woman. Women act on the advice on their spouse or another man. You will not follow what you want to do.”*

*“When your life as a woman is built around a marriage, you can’t move outside the parameters of the marriage. A dependency relationship. Also lack of awareness. For poor people as well. People are not aware of offices like the office of the public defender, human rights radio, etc.”*

### TAKING ACTION BY INCOME LEVEL



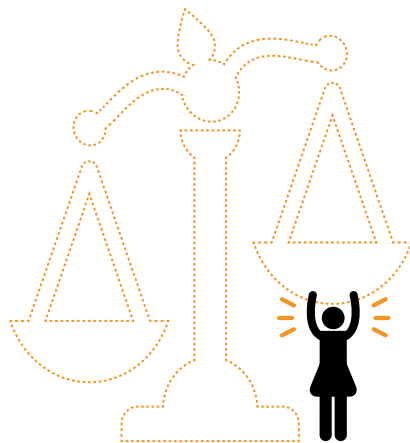
LEGAL PROBLEMS OF WOMEN

6

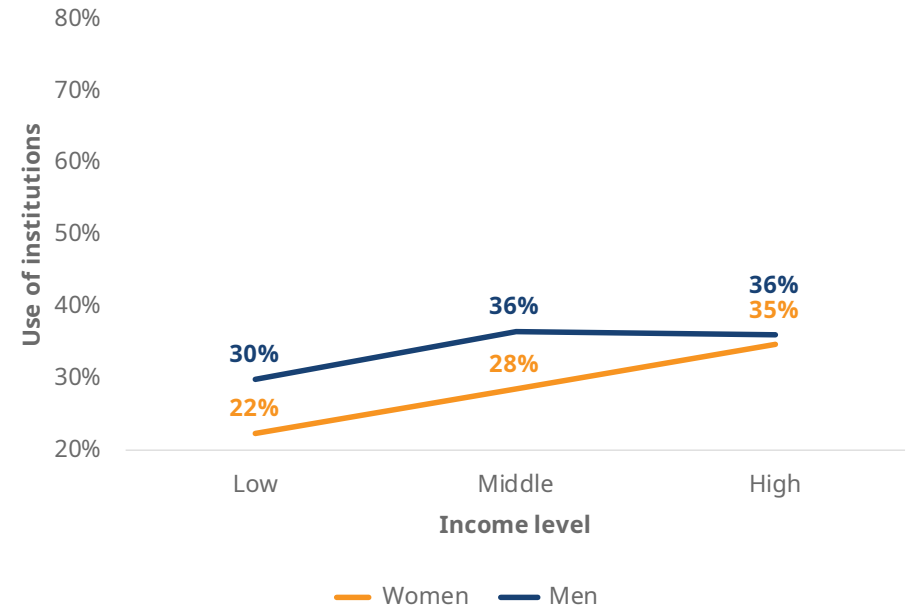
Furthermore, women in general, and of lower income brackets in particular, are less likely to turn to institutions for dispute resolution. The use of lawyers is striking, with only 2% of poorer women using lawyers compared with 7% for wealthier women. These values are 4% and 12% for men, respectively

Mechanism category	% used Women	% used Men
Self-action	70%	71%
Social network	70%	68%
Institutions	28%	34%

*As a percentage of people who took any action to resolve their problems*



USE OF INSTITUTIONS BY INCOME LEVEL



The differences we pointed out above are reinforced by which mechanism people identified as most helpful to them. Poorer women are far more likely to opt for someone from their social network, while they are less likely to use formal institutions.

LEGAL PROBLEMS OF WOMEN

6

Most helpful dispute resolution mechanisms by income level

Women	Low	Medium	High
Courts & Lawyers	5%	8%	14%
Police	7%	9%	11%
Other neutral	1%	3%	2%
Social network	<b>56%</b>	50%	42%
Self-action	30%	29%	31%

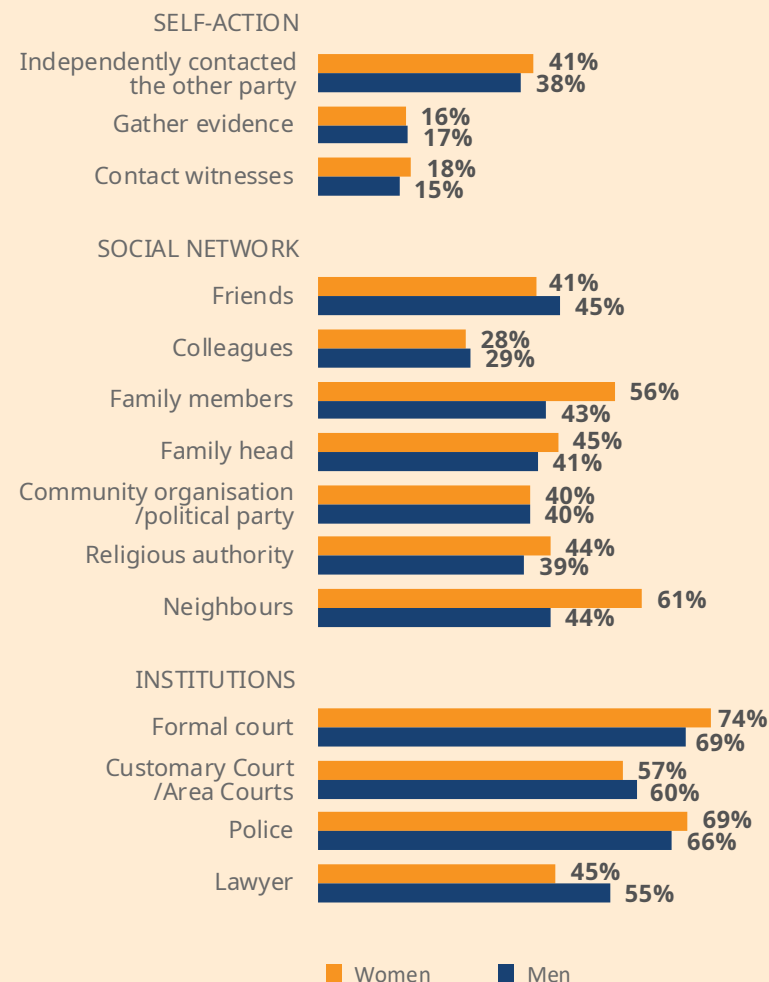
  

Men	Low	Medium	High
Courts & Lawyers	8%	13%	13%
Police	9%	13%	11%
Other neutral	5%	3%	1%
Social network	51%	45%	44%
Self-action	28%	26%	30%

Looking at the individual mechanisms for resolving legal problems in more detail and evaluating the relative helpfulness, we find that women rate family members and neighbours as more helpful than men do. Additionally, as with seeking information and advice, despite the fact that institutions are not used very frequently, they are rated as very helpful.

The reasons for not taking action are similar for women and men. Men (17%) claim that the other party was more powerful somewhat more often than women (9%). Other than this however, the main reasons revolve around not believing a positive outcome is possible, not having enough money and the problem not being serious enough to warrant action.

RELATIVE HELPFULNESS





# The story of Seun

*I live in Bauchi State. I wanted to go to school and become a nurse or doctor, but my father refused. He said that there was no money to send me to school, and that I am a woman.*

*You know that in my place, some women are not sent to school. They would tell you to get married, especially if your family is poor. What even pained me was that my current husband – a friend of my family then- started coming to our house at that time, showing interest in me. One day he told us he wanted to marry me. My parents supported him and I had no choice, which was why I married, started giving birth and did not go to school.*

*Anyways, I have made up my mind that my children must go to school. I am just praying to God to help me with money and save us from all these challenges. I did not go to school, that is my greatest regret.*



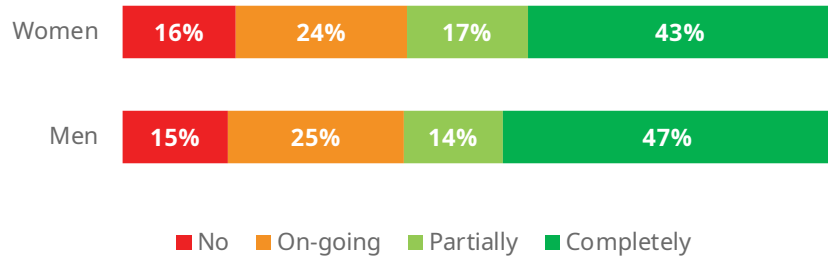
LEGAL PROBLEMS OF WOMEN

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# The resolution gap

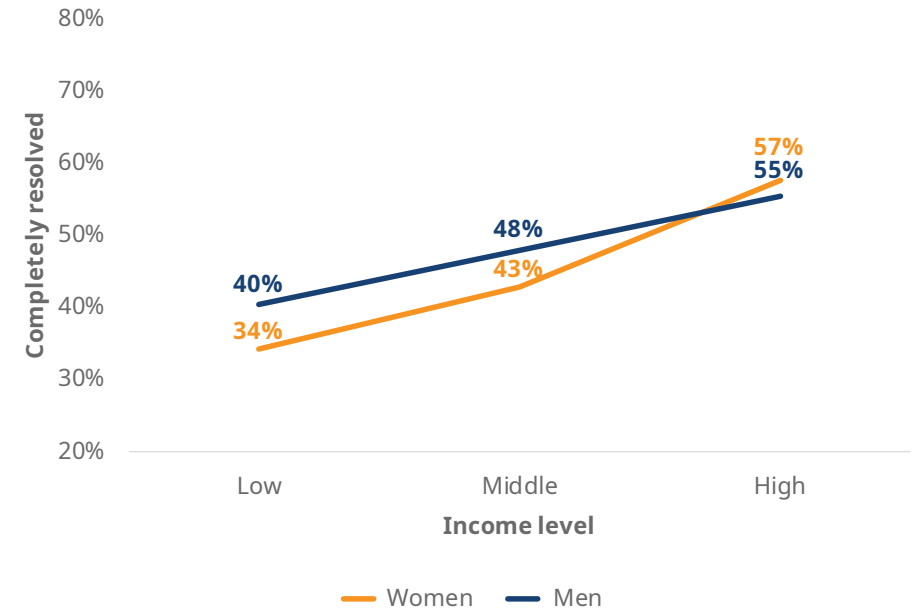
The overall breakdown of problem resolution again does not differ very much between the two genders.

RELATIVE HELPFULNESS



However, taking a closer look at income levels reveals the same trend we have seen numerous times: Poor women face greater hardship and struggle more than other groups to achieve complete resolution of their legal disputes.

PROBLEM RESOLUTION BY GENDER



The graph shows that poorer women and men both face a lower resolution rate than the higher income groups. However, for poor women the difference is even more pronounced than for men. Three out of ten poor women find complete resolution to their legal problems, while for wealthier women six out of ten manage to do so. This is a clear area for improvement, with access to justice seemingly most often achieved by the wealthy.



LEGAL PROBLEMS OF WOMEN

6

# Conclusions

Poorer women are hit especially hard by having fewer alternatives available to them when faced with a legal problem. They are much less likely to take action and are very reliant on either self-action or on their social networks. Engaging institutions is not very common in Nigeria in general, but for poor women this path to dispute resolution is apparently even more difficult to access.

Furthermore, for poor women the ratio of completely resolved disputes is nearly half that for wealthier women. Clearly, being able to successfully resolve your legal problem closely relates to the ability to pay. The result is a split in access to justice and the challenge is to ensure equal access to justice for all, regardless of gender and income.





# 7

## Legal Problems of the Young

Legal problems where they live

Similar patterns for seeking legal information and advice

Problem resolution follows the general trend

More likely to get their problems solved

# Introduction



In this chapter, we focus on young Nigerians between the ages of 18 and 24. This provides insight into their justice experiences and which trends are likely to arise in the future. In addition, young people are more vulnerable to harmful irregularities in life, such as conflict with others, and need special attention and protection.

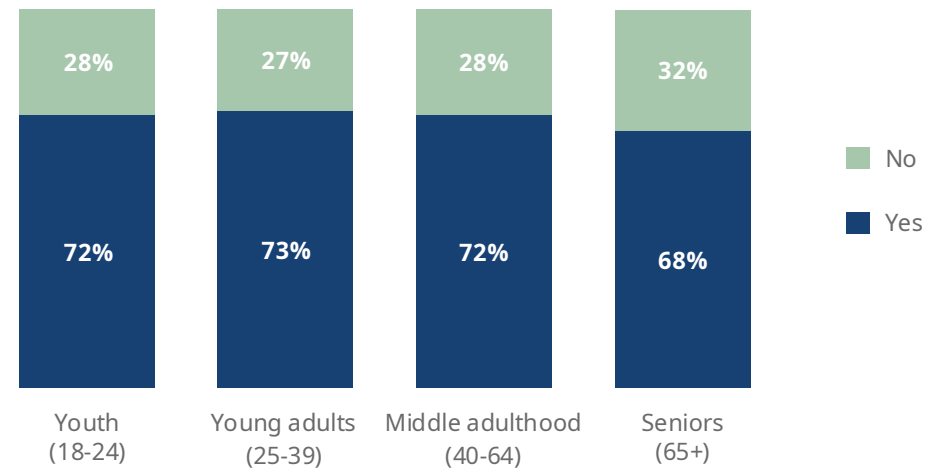
## Demographics of the young

Most of the young people in Nigeria completed secondary education (57%). 66% do not have a paid job, while the same percentage identifies as having enough money to buy what is necessary. This is perhaps possible with the help of their parents.

# Legal problems of the young happen where they live

72% of young Nigerians experience one or more legal problems every four years, which is equal to the rest of the population.

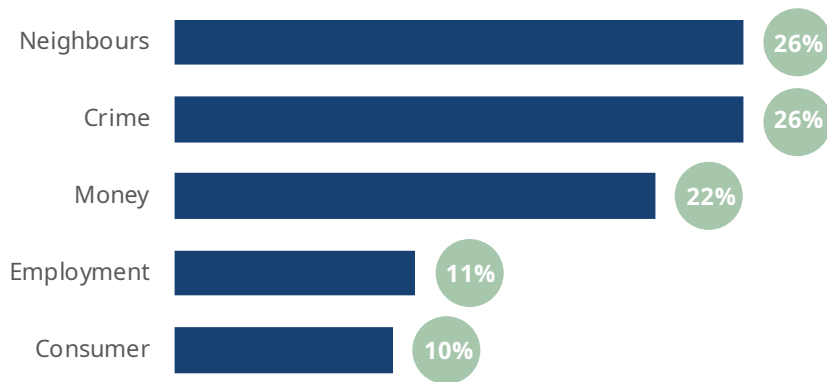
EXPERIENCE WITH LEGAL PROBLEMS BY AGE



LEGAL PROBLEMS OF THE YOUNG

7

MOST FREQUENT PROBLEM CATEGORIES (YOUTH). TOP FIVE



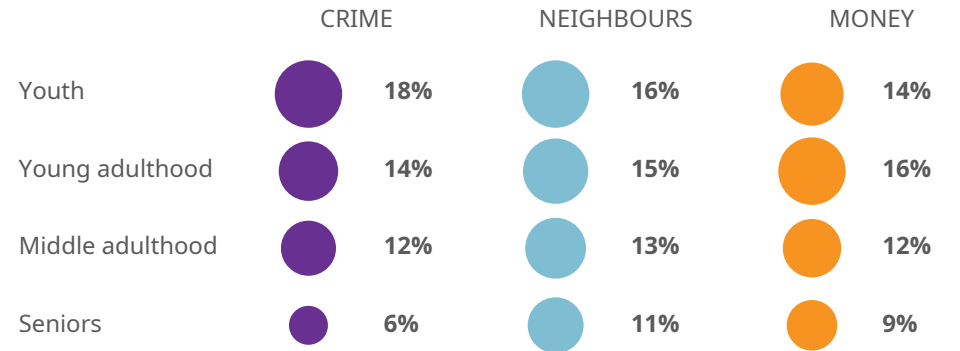
The most frequently occurring category of legal problem for the young are neighbour related disputes and crime, with virtually the same prevalence.

When we asked them to select the most serious problem, crime (18%) was in first place. It is also visibly higher for them than for people from other age categories (between 6% and 14%). The most important specific problem within this category is theft. Many young people complain of how friends, neighbours or other people they know in their area steal things from them. Items often stolen are electronics (such as phones), cars and motorcycles.

The second most frequently occurring category of problem is conflicts with neighbours. Regular and excessive noise is the most common issue (16%). The noise is mainly produced by children, generators, animals or music.

The third category is money related problems (14%). Common problems are disputes about borrowing and lending money. Young people particularly complain about friends and other people refusing to repay money that they borrowed.

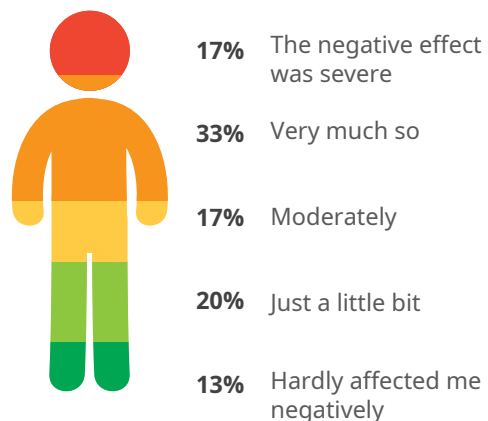
MOST SERIOUS PROBLEMS BY AGE CATEGORY



LEGAL PROBLEMS OF THE YOUNG

7

IMPACT OF JUSTICE PROBLEMS ON LIFE FOR YOUTH



Given the most frequently occurring justice problems in Nigeria, it is not surprising that the issue for many young people is about receiving an apology or recovering money or property from the other party. In addition, besides crimes, their conflicts are mainly with people they know: neighbours, friends and family members.

Around 33% of those below the age of 25 report that their legal problems very much affected their lives. This is around the same level of impact that is reported by other age groups. Loss of time (44%) and loss of income (33%) are common consequences as well. Around 28% experience stress and problems with relationships as a result of the justice problem.

# Seeking legal Information and advice: the young are not too different from others

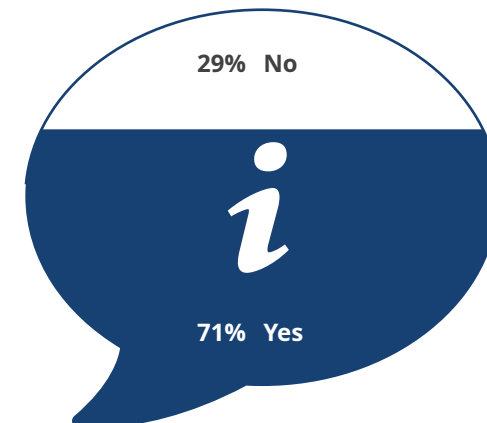
There is almost no difference between the young and other groups when it comes to seeking information and advice. Around 71% of the young people look for information and advice for how to resolve their legal problems.

Almost 30% choose not to seek information and advice. The most important reason is not believing that getting advice would help them (46%).

Many also reported not having time to seek advice (25%).

Around 88% of young people reported not using any public sources of information and advice, such as social media, the Internet, television etc. Although the young surf the Internet and use social media the most, it is not necessarily used for legal issues.

YOUTH LOOKING FOR INFORMATION AND ADVICE

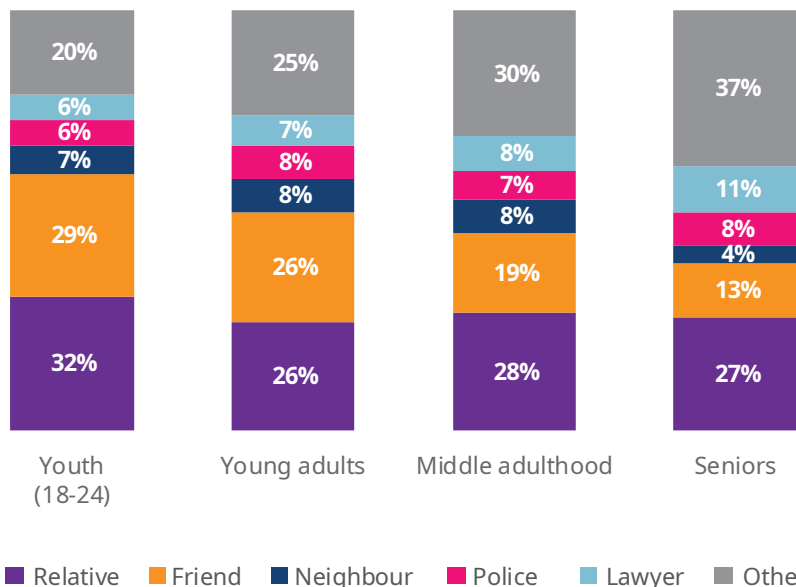




LEGAL PROBLEMS OF THE YOUNG

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MOST HELPFUL SOURCE OF INFORMATION AND ADVICE

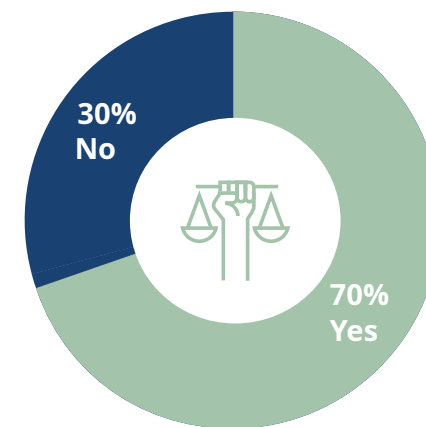


It seems that young people experience problems mainly within their community, particularly with friends and family, and they also resort to finding legal information within the community. Friends (40%) and relatives (36%) are the most commonly contacted sources of information. They are also considered to be the most helpful sources (family members 32% and friends 29%).

Generally, the young rely substantially more on their family than other age categories (32%). Only around 6% report the police or a lawyer as most useful.

# Dispute resolution tends to follow the general trend

ACTION TAKEN BY YOUTH TO RESOLVE THEIR PROBLEM



Young people are as likely to act to resolve their problem as people from other age categories. 70% of young Nigerians take some sort of action.

In general, the ranking of actions is not different for the young than for the other age groups. Nonetheless, it is worth noting that they are less likely to engage the police (12% of those who take action). For other groups, this proportion rises to around 17%. They

are slightly more likely to involve family members and friends as well.

Recall, 30% of young Nigerians facing legal problems do not take any action. Some of the reasons for this include not believing that a positive result is possible (31%), the problem was not serious enough (30%) and not having enough money (21%). Almost a third does not believe that an affordable and fair resolution is possible.

LEGAL PROBLEMS OF THE YOUNG

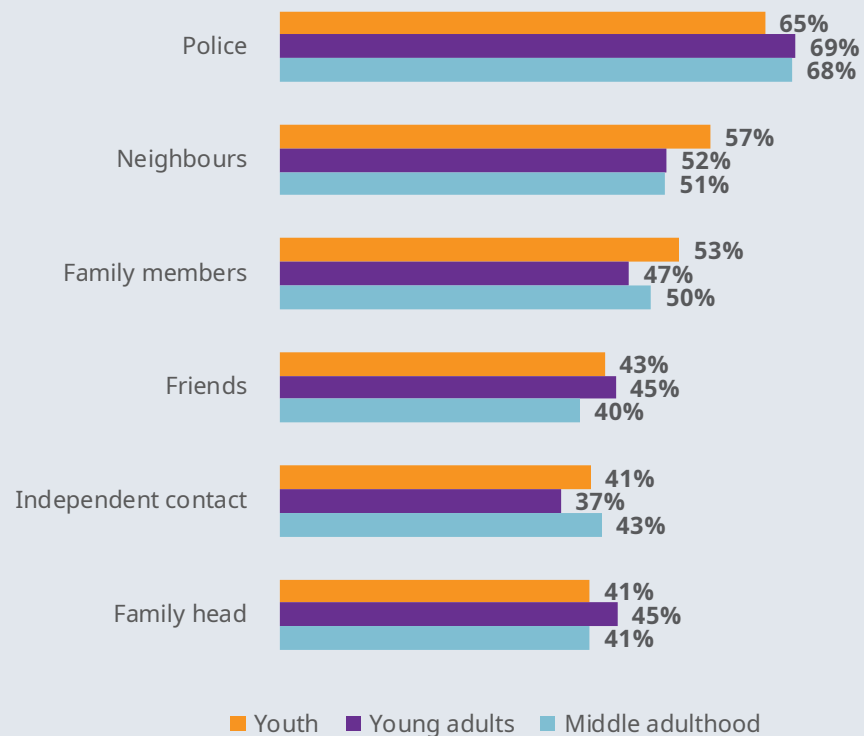
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Young Nigerians rate the helpfulness of the ways they resolve problems in a similar way to other age groups. In general, they tend to find friends, neighbours and family members more helpful than other age groups do. On the other hand, religious authorities receive around eight to ten percentage points less than other groups (only a third compared to almost a half of users are satisfied). Colleagues are also less helpful for them. Still, in terms of frequency, young Nigerians engage in self-help actions just like other young people around the world.

The graph on the right about relative helpfulness of actions shows those differences for the most frequently engaged mechanisms. The police, despite being less frequently engaged, tend to be perceived as helpful among the young.



HELPFULNESS OF ACTIONS BY AGE CATEGORY



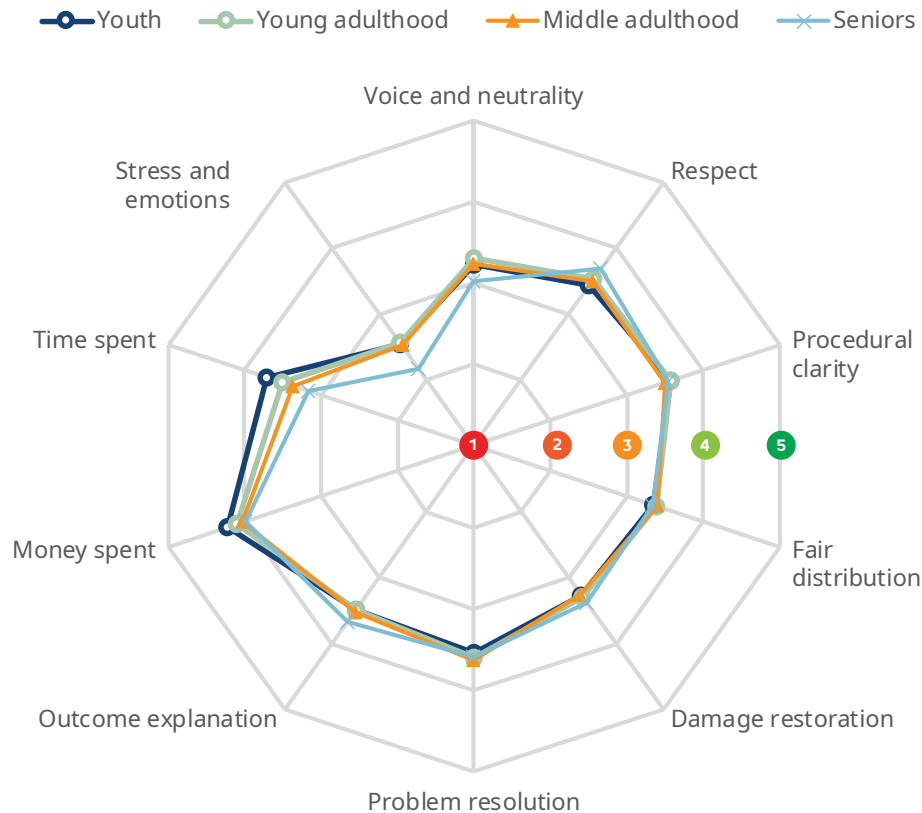
LEGAL PROBLEMS OF THE YOUNG

7

Young Nigerians do not differ too much from the rest of the population in terms of how they rate their justice journeys. They experience a lot of stress and emotions (2.55 out of 5; 1 - low quality; 5 - high quality) during

the resolution process. They are not satisfied with their ability to voice their points of view and needs during the process (3.22). A third issue they are not satisfied with is how their damages are restored (3.27).

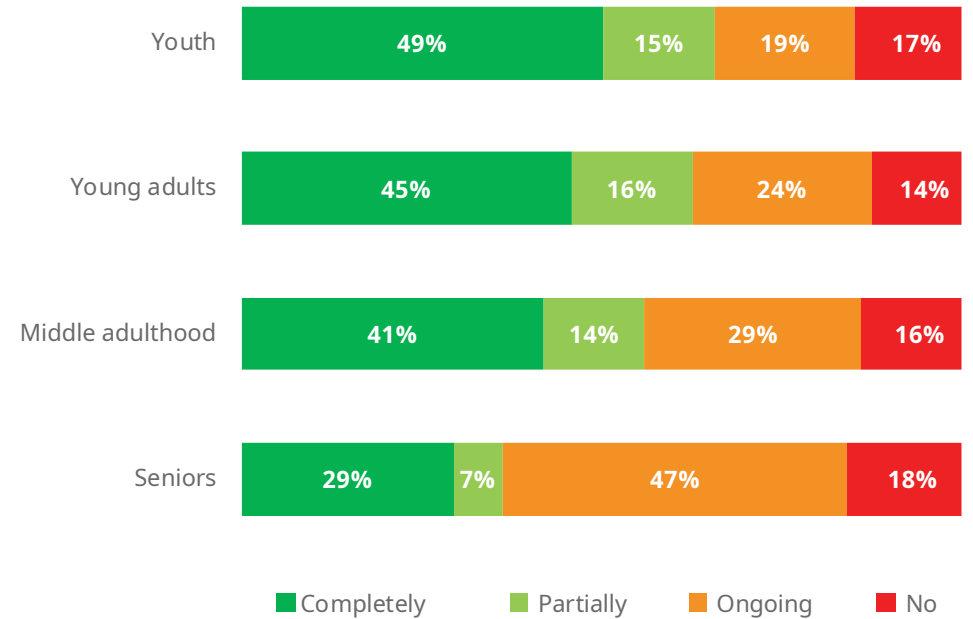
EVALUATION OF JUSTICE JOURNEYS



Young Nigerians report the highest resolution rate (64%) for legal problems among all age groups. Nevertheless, almost 36% of their problems do not get resolution.



PROBLEM RESOLUTION BY AGE CATEGORIES



## LEGAL PROBLEMS OF THE YOUNG

7

Differentiating by problem category, we find that young Nigerians with neighbour-related disputes and crime problems tend to have higher dispute resolution rates. On the other side, having employment problems reduces the chances of getting resolution, in line with the overall trend.

Most young people encounter issues related to theft, lending money and excessive noise from neighbours. Their problems are often with neighbours, friends and relatives.

Many young people approach friends and families for advice and resolution. The most helpful process to resolve a problem for young Nigerians is to take some sort of action themselves. A large majority is able to find some form of resolution.

Surprisingly, the Internet and social media play a limited role for young Nigerians when dealing with a legal problem.

It is important to mention that 30% of the young people do not seek information and advice for resolution of their legal problems. The most important reason is their perception that their efforts will not matter.





# 8

## Employment Related Legal Problems

Types of employment problem

Impact on life

Seeking legal information and advice

Acting to resolve the problem

Resolution

## Introduction

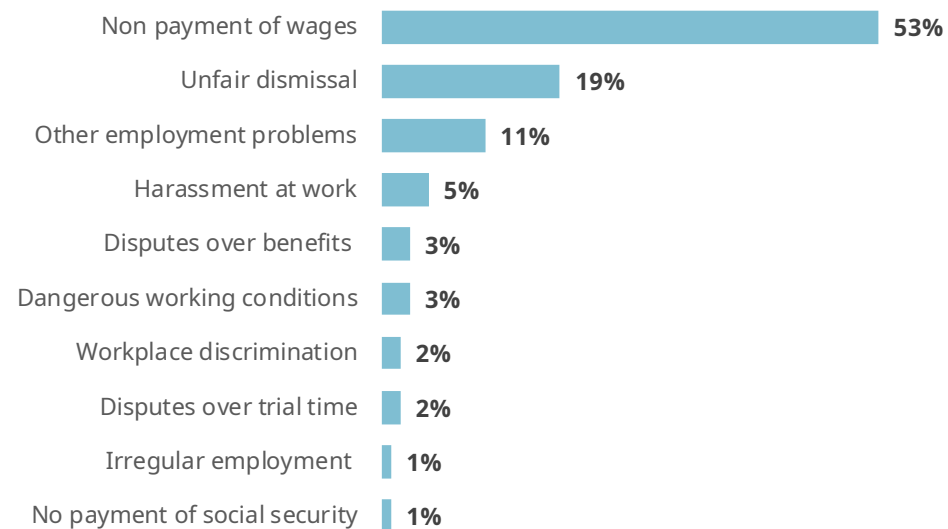
In this section, we focus on those Nigerians who said their most serious legal problem was related to employment. We must be clear that, despite the severity of the situation in the country with almost 50% of the young population being out of the workforce, being unemployed is not per se a legal problem. It is a legal problem, however, if the person for instance has been discriminated against in the recruitment process or at work, not paid, or forced to work in unsafe conditions. These are some of the specific employment related legal problems considered in the study.

Employment justice relates to the relations between workers and employers, as well as between colleagues. People all over the world value certainty, fairness and integrity in the relationships that govern their most valuable personal capital – their ability to work and earn income. We will take a deeper look at the legal problems that originate in the work environment.



## 2,230,000 new employment related legal disputes every year

### SPECIFIC EMPLOYMENT PROBLEMS



N= 394

EMPLOYMENT LEGAL PROBLEMS

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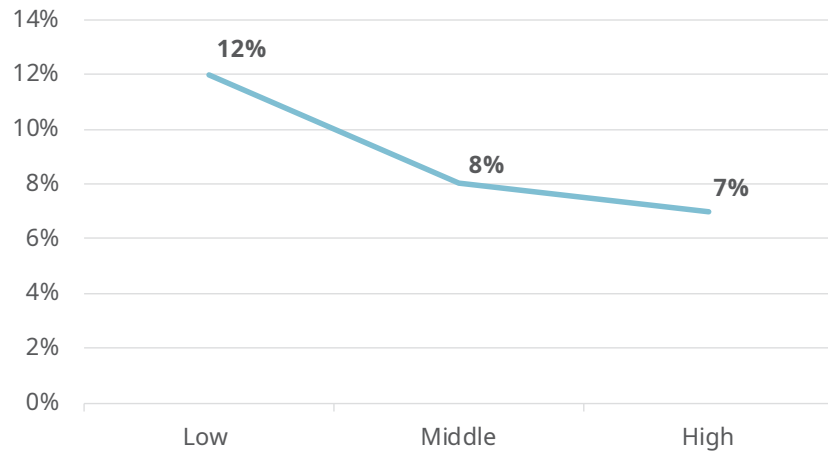
Disputes with potential legal resolution around employment are not the most frequently occurring problems in Nigeria. However, if we look at the severity of problems, on a self-reported scale, these types of problem are the most serious in terms of impact on life.

The vast majority of employment problems relate to perceived unfair treatment of an employee. In other

words, employers, either by ignorance or by mismanagement, fail to respect the rights of workers.

Poor Nigerians are almost two times more likely to report an employment problem as their most serious legal problem compared with wealthier people.

EMPLOYMENT PROBLEMS BY INCOME



People with employment problems report that loss of income and loss of job are the most prevalent consequences. In consequence, a lack of fairness at work has a severe impact on Nigerians.



The consequences are harsh: loss of income, loss of job

CONSEQUENCES OF THE PROBLEM



EMPLOYMENT LEGAL PROBLEMS

8

# Patterns for seeking legal information and for resolving employment related legal problems

Employment problems more often have a severe negative impact on people's lives than other legal problems. Employment related legal problems also more often cause loss of job, loss of income and stress related illness compared with other categories of legal problem. Overall, encountering an employment problem has a severe impact on people's lives.

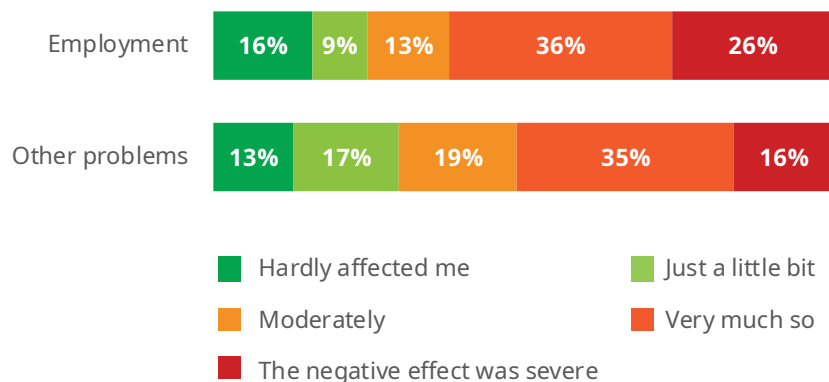
As expected from the specific types of employment problem, people argue that they want to recover money as the most important objective of resolving the problem.

In cases of employment problems people tend to seek information and advice from colleagues more often compared to other problems. Asking a colleague is a good thing but if this is the only strategy for getting to know rights or what to do there are concerns about the quality and competence of the help. Are colleagues qualified to provide legal advice, particularly if employees are not aware of the intricacies of employment law?

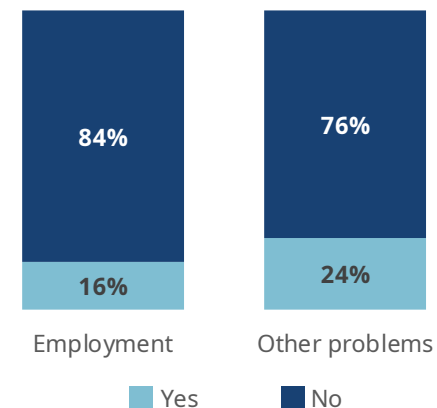
There are no differences in the likelihood of seeking legal information and advice between people with employment problems and those who report any other problem category.

In the same fashion, there are no differences regarding the likelihood of contacting someone in their social network.

IMPACT



CONTACTING INSTITUTIONAL SOURCES OF LEGAL INFORMATION AND ADVICE





EMPLOYMENT LEGAL PROBLEMS

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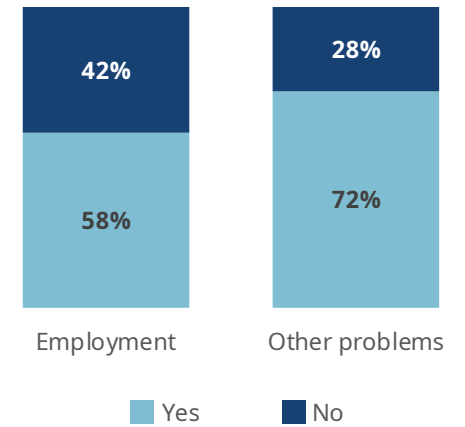


Regarding institutions and employment problems, the number of people consulting them is small, but there is a visible trend: local public authorities, trade unions, legal aid organizations and paralegals are more frequently contacted in the search for legal information and advice for employment problems than for other problems.

## Reasons for not seeking legal information and advice

A quarter of those who did not seek legal information and advice did not know where to find it. There is a clear need for reach-out programs to educate and raise awareness among Nigerians about the available justice journeys for employment problems.

DID YOU TAKE ANY ACTION TO SOLVE THE PROBLEM?



EMPLOYMENT LEGAL PROBLEMS

8

As shown in the dispute resolution chapter, Nigerians with employment problems tend to rank in the bottom part of the list in terms of acting to resolve their problem. In terms of income, people in the middle level of income are substantially less likely to act to resolve their problem (36%) than those at the extremes of the distribution (around 50%).

When we look at the three types of action and compare to other categories of legal problems, we find that Nigerians with employment problems are less active in using all of the three strategies. Recall from the chapter on dispute resolution that the rates were around 50% for self-actions and social network, and 22% for institutions. Those who take any type of action in employment disputes engage, on average, with 2.3 actions.

In the next graph, we present the top three alternatives by type of action, among those who did take action, for example, among all people who took any form of action, only 5% engaged formal courts, while 47% independently contacted the other party.

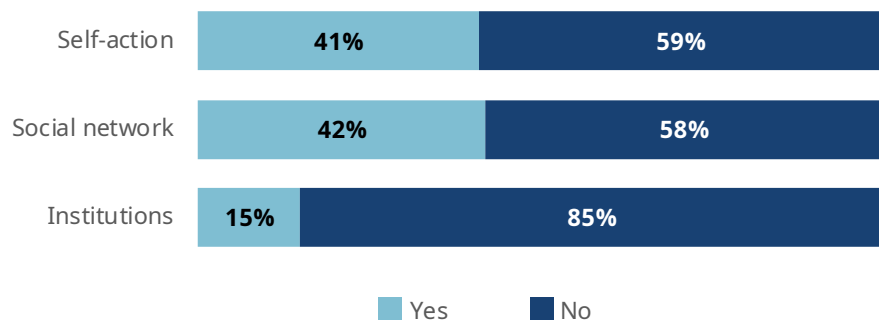
the problem by talking directly with the other party.

Not shown in the graph, employers and trade unions gather no more than 8% of the preferences in the social network category.

We show the top three most preferred dispute resolution mechanisms by category, out of all who took action. Following the general trend, almost half of the people attempted to resolve

People engage courts and lawyers at the same rate as in all other categories of legal problems: 6% for lawyers, 5% for courts.

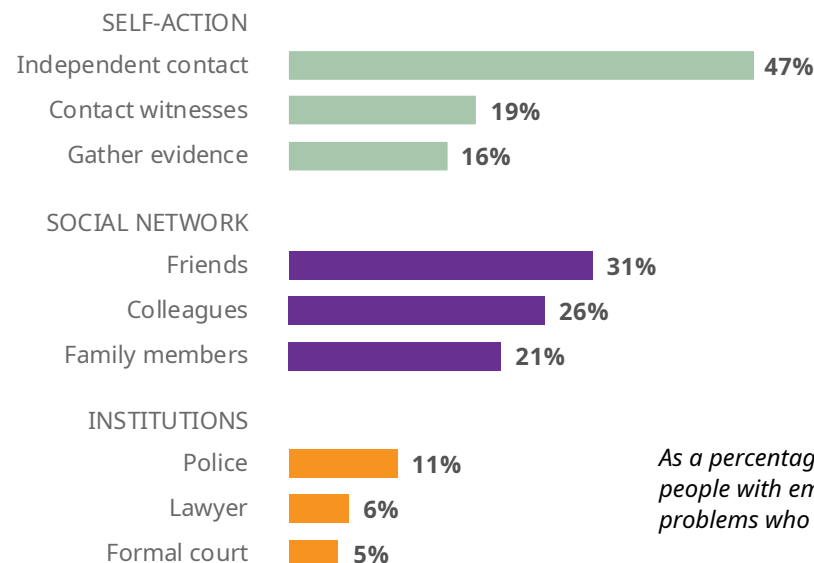
HOW DO NIGERIANS TRY TO SOLVE THEIR EMPLOYMENT DISPUTES?



As a percentage of all people with employment problems

N= 394

TOP THREE MOST ENGAGED MECHANISMS PER CATEGORY



As a percentage of people with employment problems who took action

N= 228

# The story of Daniel

*My Oga (boss) brought me from our village to Abuja about seven years ago after I left secondary school. I joined him as an apprentice in his shop. We sold plumbing materials.*

*After some years, my boss began to suspect and question me on everything, which he never did until his wife came between us.*

*I had a little misunderstanding with wife when my boss was away. Surprisingly, when my boss arrived and the wife reported me, he did not hear my side of the story, but started beating and abusing me. I still apologized to him and the wife. The next action of my boss was reporting me to the police.*

*My boss accused me of stealing his money to the tune of three million Naira when the worth of the whole shop is only around two million. He asked the police to torture me so that I can confess where I kept his money. I was put in a cell.*

*My boss left me in a cell without food or anything for 12 days. I was only sharing food with other inmates. He did not charge me to court or release me. It was when the police threatened to arrest him for not showing up on my case that he came to release me. I was forced to sign an undertaking in the police station. He also said I should pay back the money I stole from him, though it was clear he doesn't have such money.*

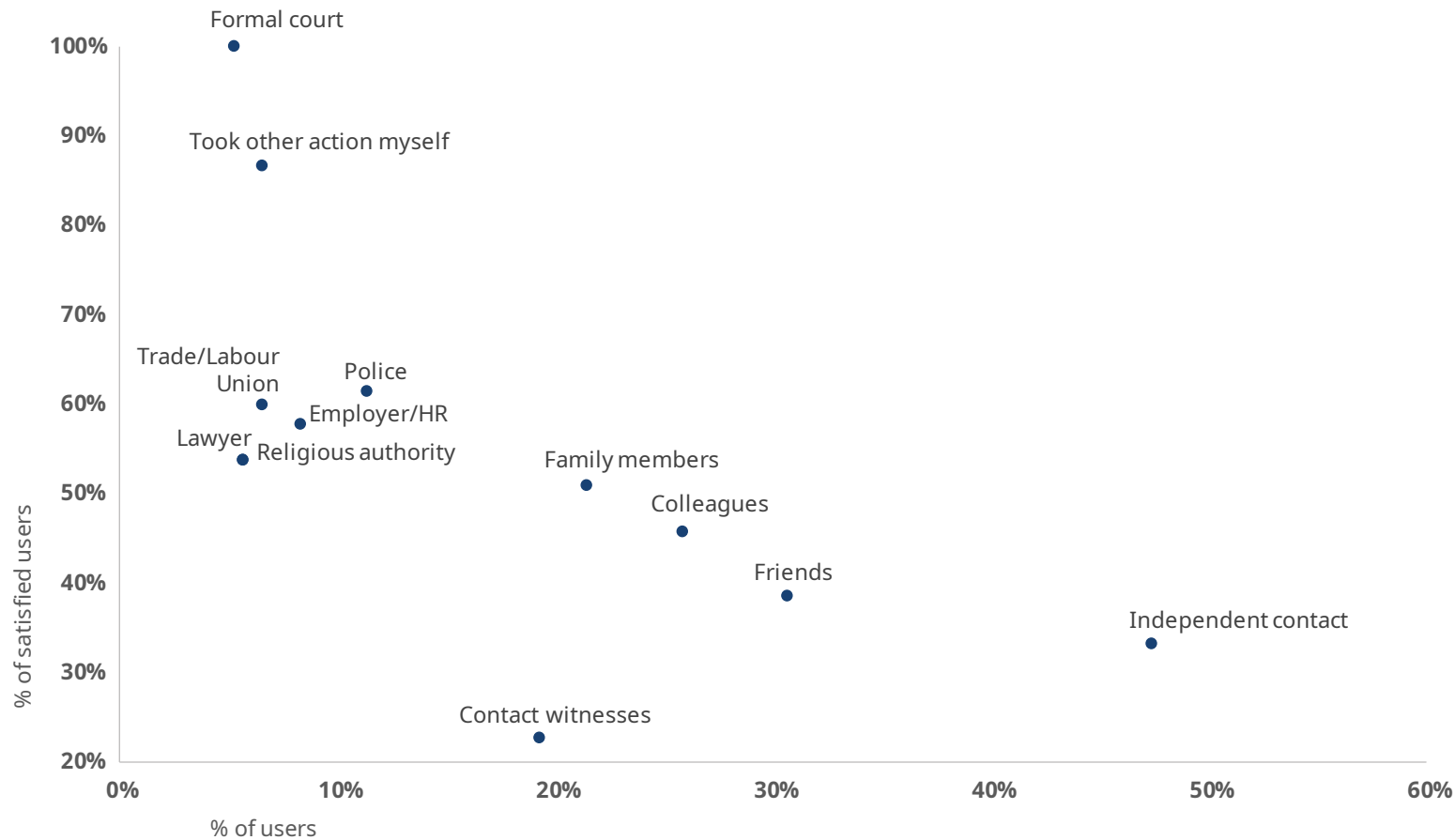
*I left him because there is nothing I can do to him.*



EMPLOYMENT LEGAL PROBLEMS

8

# Relative helpfulness of dispute resolution mechanisms



The graph on the left shows the relative helpfulness of dispute mechanisms for employment problems. The horizontal axis shows the percentage of people who used a mechanism, among those who took action. The vertical axis shows the percentage of them who declared that that particular mechanism was the most helpful for them.

It is clear from the graph that mechanisms widely used are not the ones that help the users of justice the most. While contacting the other party independently is the most preferred option, less than half of its users say that it was the most helpful action that they took.

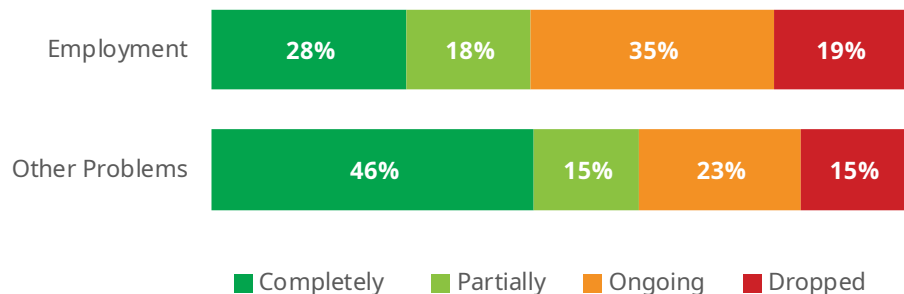
- Gathering evidence and engaging witnesses are mechanisms where people feel helped the least.
- In contrast, formal courts achieve 100% of relative helpfulness. However, the sample is too small to make any claims.

EMPLOYMENT LEGAL PROBLEMS

8

# Resolution rate below average

RESOLUTION RATES

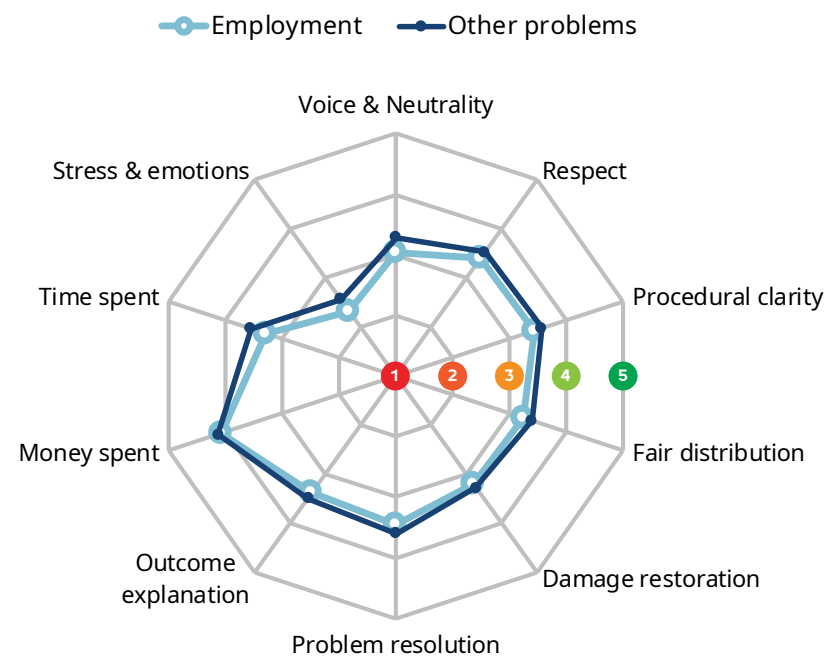


Less than 50% of people who embark on a path to justice achieve a satisfactory outcome. This percentage includes both fully and partially resolved problems. Therefore, employment problems are resolved at a below average rate – which is close to 60% for all problems combined. Recall from the beginning of this section that employment problems are impactful, with severe consequences. The lack

of action and the lack of resolution implies that a large majority of the problems are not justly dealt with in Nigeria. In other words, given that almost 60% of the people start a procedure, and less than 50% of those achieve an outcome, it is possible to say that 70% of all employment problems remain unresolved. This is equivalent to more than 1.5 million problems a year.

# Evaluation of employment justice procedures

EMPLOYMENT PROCEDURES



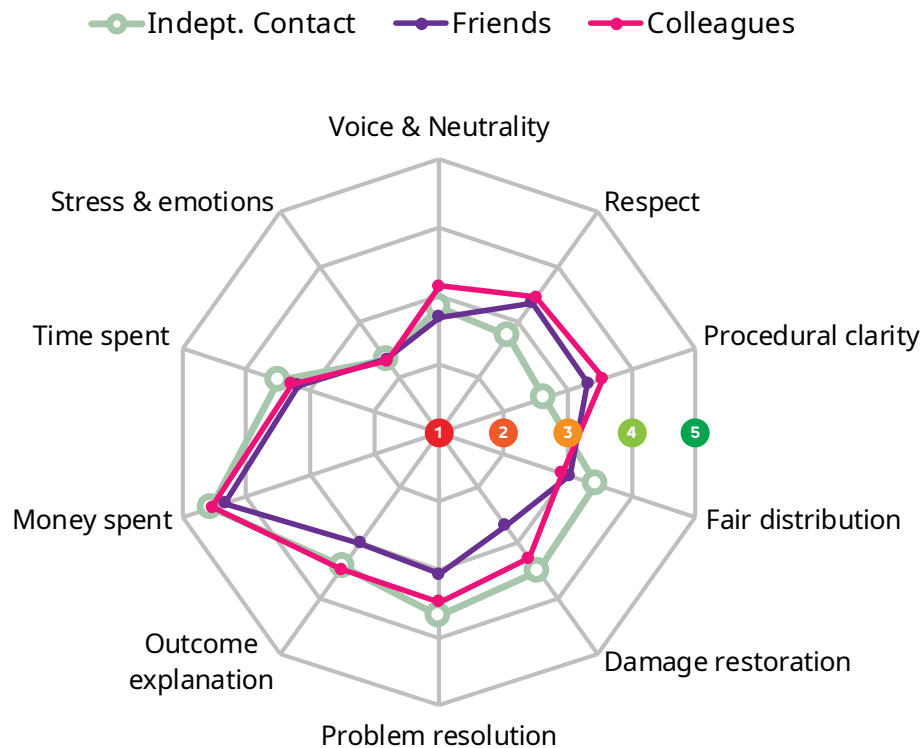
Not only are resolution rates for employment problems poor; Nigerians who suffer from these problems are also more critical of costs, procedures and outcomes. In every dimension,

results are worse for employment related problems. In particular, employment related procedures are more stressful than those for other problems. People do not feel heard.

EMPLOYMENT LEGAL PROBLEMS

8

JUSTICE JOURNEYS BY MOST PREFERRED MECHANISMS



With regards to the most preferred dispute resolution mechanisms, those who engage friends to try to resolve the problem are less satisfied with the outcome. Apparently, direct contact with the other party gives better

results, at least in terms of how people feel about the outcome. However, during the procedure, there is less clarity about the procedure, and people do not feel respected.

# Conclusions

More than 2 million employment problems arise in Nigeria every year.

Poorer Nigerians report that their legal problem is one related to employment more often than wealthier Nigerians. Normally, these types of problem include non-payment of wages and unfair dismissal. This is why people report loss of income and loss of job as the consequences. The impact of the problems are severe as they are accompanied by money problems, drastically affecting quality of life.

People facing employment problems actively seek legal information and advice, but mostly from their social network, family and friends.

When they do act, they take action themselves or involve family and friends. Colleagues might be part of the resolution process, while the employer or its HR department are rarely engaged. Formal courts are used only by a tiny minority, although this minority reports to be satisfied with the performance of courts.

Less than 50% of initiated procedures will end up with a resolved problem, fully or partially. That means these types of problem are difficult to resolve.

When we asked the people who took action about their satisfaction with costs and quality of procedure and outcome, people with employment problems did not seem too different from people with other legal problems.

The type of dispute resolution mechanism matters. When a friend or colleague is involved to resolve the problem, this is perceived as fairer, but in the end, people who directly engage the other party are more satisfied with the outcome.

Courts seem to do a good job at achieving resolution, but people do not use them. This is a challenge for the Nigerian Justice ecosystem in the coming years.



# 9

## Special Focus: Internally Displaced People (IDPs)

Legal problems of IDPs

Stories of daily life justice  
in communities of origin

Dispute resolution  
mechanisms

Stories of displacement

Satisfaction with  
procedures and outcomes

Stories of daily life justice  
in camps

## Introduction

According to the National Commission for Refugees, Migrants and IDPs, more than 2 million people are internally displaced in Nigeria<sup>8</sup>. The reasons for displacement vary: it may be because of conflict or insecurity, or for economic and environmental reasons.

Currently in Nigeria, the ongoing conflict with Boko Haram is one important, but not the only, cause of forced displacement. Natural disasters have also contributed to it. According to the International Organization for Migration<sup>9</sup>, six states are the most affected by the displacements: Adamawa, Bauchi, Borno, Gombe, Taraba and Yobe.

The IOM has carried out constant monitoring of the situation of IDPs. For instance, in the June 2018 wave report, they interviewed almost 90 thousand IDPs. IOM's focus is the assessment of IDP's needs. The justice needs of IDPs, however, are not included in these reports. Hereby, using the JNS data we bridge this gap.

Before starting, some considerations and nuances need to be mentioned:

- The IDPs sample in the JNS report is not representative of the total population of IDPs, therefore, no systematic generalizations can be drawn.
- However, with a combination of qualitative and quantitative methodologies, we provide an overview of the justice needs of self-identified IDPs, on which further studies focusing on IDPs can rely.
- Therefore, we provide a comparison between non-IDPs and IDPs that have been randomly selected. Again, a word of caution: no sampling plan for IDPs was established and our team did not visit any camp or camp-like setting for quantitative data collection.

## Demographics of IDPs in the JNS survey

- Slightly more men (52%) than women
- People up to 34 years of age represent 88% of the sample of IDPs
- More than half of them (54%) report having a paid job
- Four out of five IDPs (80%) declare an income level as being just enough for basic items.

State	IDPs
Rivers	64
Kano	62
Oyo	39
Adamawa	32
Benue	30
Ondo	19
Imo	19
Taraba	11
Enugu	10
Cross Rivers	9
Kwara	9
Kaduna	9
Edo	6
Anambra	3
Lagos	2
Sokoto	1
Bauchi	1
<b>Total</b>	<b>326</b>



<sup>8</sup> <http://ncfrmi.gov.ng>

<sup>9</sup> <https://displacement.iom.int/nigeria>



LEGAL PROBLEMS OF IDPs

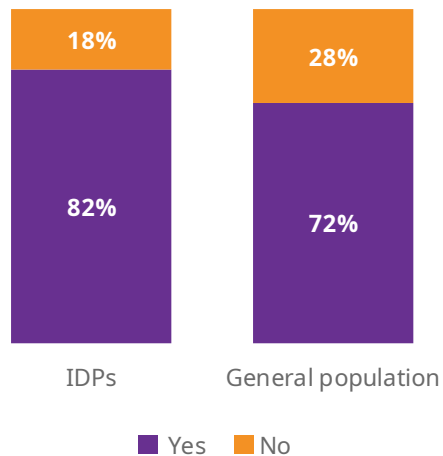


# More IDPs report legal problems than the rest of the population

Being forced to migrate is already a life changing problem. IDPs, just like refugees in other countries<sup>10</sup>, tend to report more often facing legal problems, compared with the rest of the population.

There are no significant differences in the average number of problems experienced by IDPs (1.7) and the general population (1.8).

HAVE YOU HAD A LEGAL PROBLEM IN THE LAST FOUR YEARS?

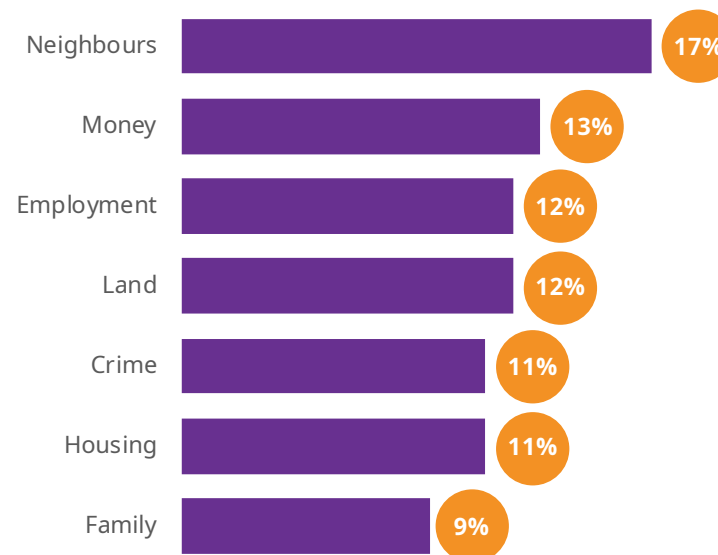


# The types of problem IDPs suffer are no different from the rest of the population

Employment problems seem to occur slightly more often among IDPs, and they report crime less often.



WHICH ARE THE MOST FREQUENTLY OCCURRING PROBLEMS?



<sup>10</sup> HiIL, 2018. Justice Needs of Syrian refugees: Legal problems in daily life.

## LEGAL PROBLEMS OF IDPs



When we look at the most serious specific problems, non-payment of wages emerges as a serious and widespread problem for IDPs.

As seen in the table below, non-payment of wages is a widespread problem for IDPs. Below we hear from one IDP her story of how she has to deal with discrimination that leads to underpaid work due to her status.

Most serious individual problem	Percent of all serious legal problems
Regular and excessive noise	8%
Non-payment of wages, benefits	6%
Disputes over borrowing money	6%
Disputes over boundaries	4%
Theft	4%

## STORIES OF DAILY LIFE JUSTICE IN AN IDP CAMP

## The story of Adia

*I came into this camp five years ago after the insurgency in my hometown, in Borno State. It's a good thing to be alive, but it's hurtful to be alive and suffering.*

*Our daily experiences here hurt. People take advantage of our misfortune. Everyday, people from all sectors come in here [Note: To the camp she lives in]. They offer us jobs, but the pay is so little. For instance, they took my sisters and me to a farm to work last week. We worked from 8am-7pm and they paid us only five hundred naira each.*

*My friends and I go sometimes to building sites to help carry materials. At the end of the job, we realize that the money they pay IDPs is lower than what other labourers are paid! That is not help but exploitation! Five hundred can't even afford a meal in Abuja. I am a mother with kids. They know I am helpless. Instead of offering me fair conditions, they offer me a job that makes my situation even more difficult!*

*Sometimes I ask myself are IDP persons not human? Don't we deserve same treatment like other citizens, irrespective of our circumstances?*

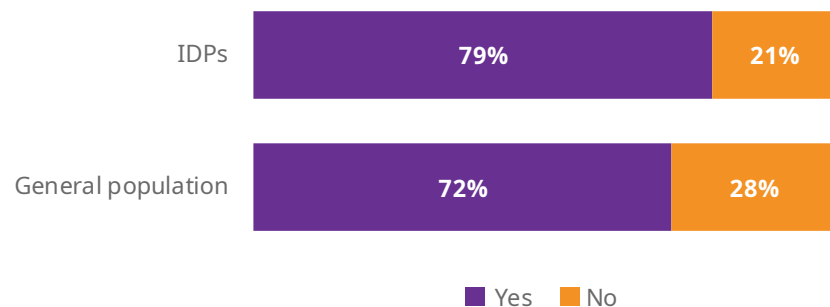
LEGAL PROBLEMS OF IDPS



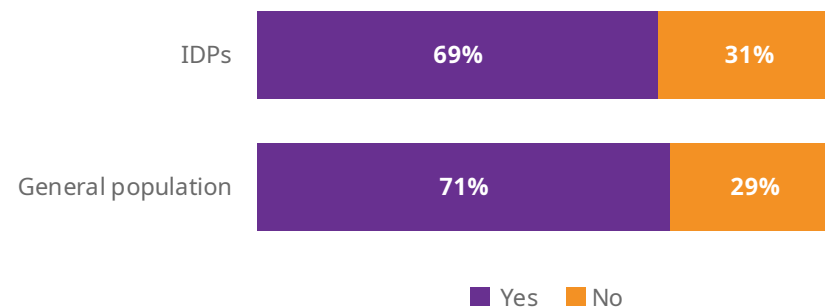
# Seeking legal information and advice more often than the rest of the population

# But not different at the time of trying to resolve their problems, except for engaging the police

DID YOU LOOK FOR LEGAL INFORMATION AND ADVICE?



DID YOU TAKE ANY ACTION?



The most helpful sources of legal information and advice for IDPS are:

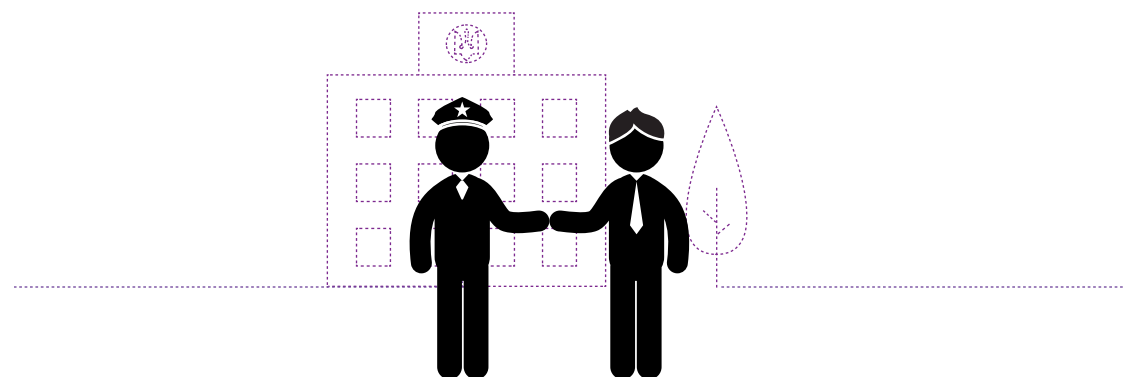


Relatives (36%)

Friends (17%)

Police (13%)

For categories relatives and police, the percentage is higher than for the general population.



## LEGAL PROBLEMS OF IDPs



On average, IDPs engage in 2.7 actions to try to resolve their problems

Most frequently engaged dispute resolution mechanism	Percent of all IDPs with legal problems
Independently contact the other party	35%
Family members	34%
Contact witnesses	31%
Police	25%
Gathering evidence	25%

Compared with the general population in the sample, IDPs engage the police more frequently. Police is also the most helpful dispute resolution mechanism among the sampled IDPs.

Reasons for not taking action are similar to those of non-IDPs

One out of four IDPs who did not take action to resolve their problems did not want to disclose the reasons. For those who did reply, not believing that they would achieve a positive result was the most important deterrent.

## STORIES OF DAILY LIFE JUSTICE IN AN IDP CAMP

## The story of Fatima

*I am a 42 years old widow from Gosa. I cannot read or write. On one of the visitations of the NGOs to our camp for an outreach, they were sharing some items for us. Something like toothbrush, toothpaste, sanitary pads, etc.*

*One of my neighbours wasn't around when the outreach took place. I decided to collect some of the items for her but I was only able to get few items. When she came back, I gave her what I collected, and told her about the programme. Instead of her being appreciative of my gesture, she began abusing me, saying that I should have gotten everything for her.*

*I was surprised. Even her husband joined her in abusing me. It was late in the night and I thought afterwards that everything has died down. I never knew they went to report the matter in the police station. Because it was late, the policemen did not come that night.*

*Early in the morning, the policeman came into the IDP camp and said I needed to follow him to police station to write a statement and tell my own side of the story. This is where our leaders heard of it and the whole story of what happened was narrated to the policeman.*

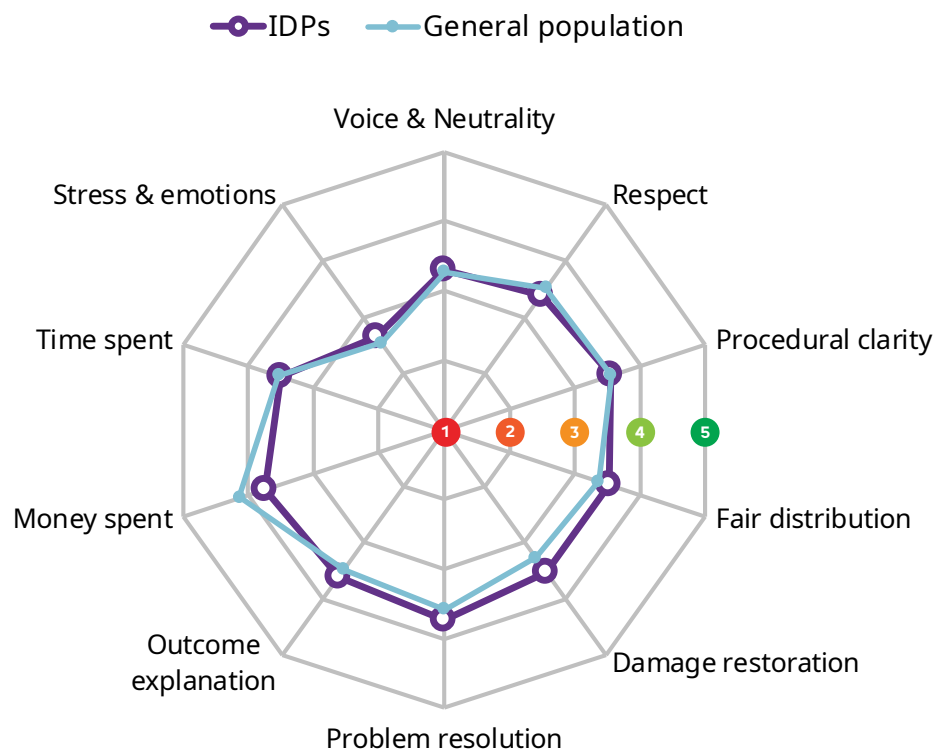
*The leaders and the policemen resolved the matter amicably. The woman and her husband was blamed for their action and the case was settled. Our relationship is cordial and we are living with more understanding.*

## LEGAL PROBLEMS OF IDPs

9

## IDPs' evaluation of their justice journeys not too different from that of the general population

### EVALUATION OF JUSTICE JOURNEYS



There are few differences between the two groups. IDPs tend to rate the quality of outcomes of the justice journeys slightly better than the rest of the population do. In terms of costs, despite the general trend in Nigeria of not spending too much to resolve legal problems, IDPs report less satisfaction with what they paid for in their procedures.

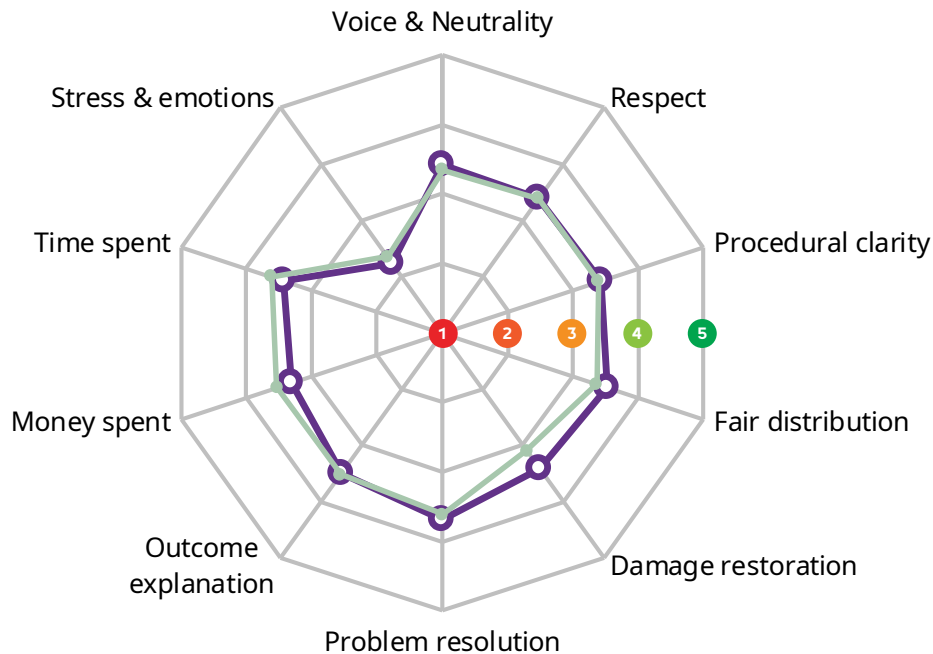


LEGAL PROBLEMS OF IDPs



EVALUATION OF JUSTICE JOURNEYS INVOLVING THE POLICE

—●— IDPs —●— General population



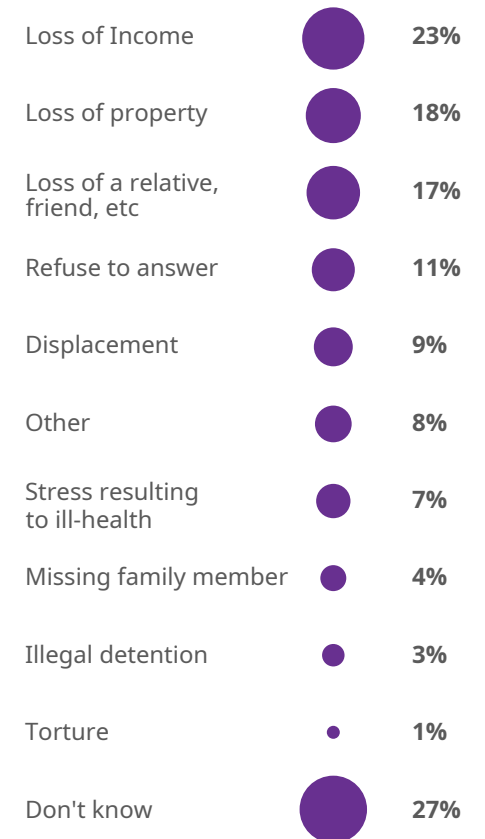
Even though the numbers are small for IDPs, we find that when engaging the police, IDPs report higher levels of satisfaction in regards to the quality of the outcome than the general population. More data are needed to evaluate in depth the relation between IDPs and the police.

# Special needs of IDPs

We asked the self-reported IDPs three additional questions in order to better understand how displacement affects people and what IDPs see as the way forward.

The most eminent consequences of being an internally displaced person are losing income and property and, to a certain extent, losing family members and friends. However, more than a quarter of IDPs cannot point to any specific consequence.

CONSEQUENCES OF YOUR IDP STATUS



N=326

STORIES OF DISPLACEMENT

# The story of Hamidah

*My name is Hamidah. I am currently unemployed. I never went to school. My husband is a laborer, and we have two children.*

*It's because of the attacks of Boko Haram in Maiduguri that we left our home State. Our property was destroyed, our homes are desolate, and it's disheartening.*

*Boko Haram frequently dropped threatening notes to different houses in my village. Most of the time, they threaten to steal our animals, destroy our properties. We thought they are mere words but they end up fulfilling their threats! They dropped written notes to us one day, claiming they want our heads! They murdered our reverend. While we were still mourning, they raided the community at about 6:00am, dressed in military camouflage. They were shooting continuously for six hours. Lives were lost. Few of us escaped to the forest. After some days, we returned home and realized most of our belongings have been taken away.*

*We consoled ourselves with the fact that we still had life and could regain all we've lost. While we were healing, they launched another attack! Yet there was no intervention from anybody to help us. Later on, we discovered that they were focused on killing the men in the community, so our men absconded, leaving mothers and children. We thought we were safe, yet they began to kill both children and mothers. We took the most hurtful decision, departing our motherland for the safety of our lives.*

*This misfortune shook my community. There is no family that didn't lose a relative. Boko Haram took my father and grandmother away. They killed my mother. Some of my relatives ran to Cameroun.*

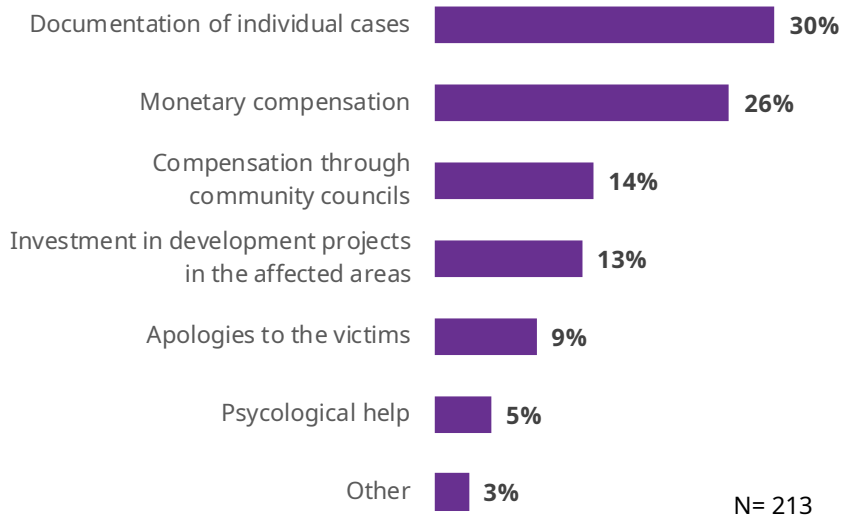


## LEGAL PROBLEMS OF IDPs



## Knowing the truth is the best way to achieve compensation for harms

### BEST WAY TO COMPENSATE HARMS?



Knowing the truth is the best way to achieve compensation for harms. The best way to do that is by documenting individual cases. This is, in fact, IDPs highest preference to compensate harm caused by the criminal activities they suffer.

## STORIES OF DISPLACEMENT

## The story of Ina

*My name is Ina. I am 20 years old farmer from Borno State. I am married with one child. We ran away from Daushe, our village to this place from Borno state. We came to Abuja because our people were already here. The terrorists entered our village and we all scattered. Those that head our people are here, lead us to this place so we came and met them.*

*The conflict drove us out from our houses. We have no food and no home. Things here are patching. Cold and mosquitoes' every day. Our mind is not settled. It was better for us at home. During rainy season like this, we would plant maize, groundnuts and others. We lacked nothing. Now, things have changed. Our children were in school but not anymore. People give us food, but we don't know what to do.*

*We need food to stay alive, so we need help from the government. We have been hearing stories that they shall repair our villages and restore peace, but until now, nothing good has come out of the story. There is no work for our men and women. Men go from place to place looking for work, with no results. Our needs have to be addressed!*



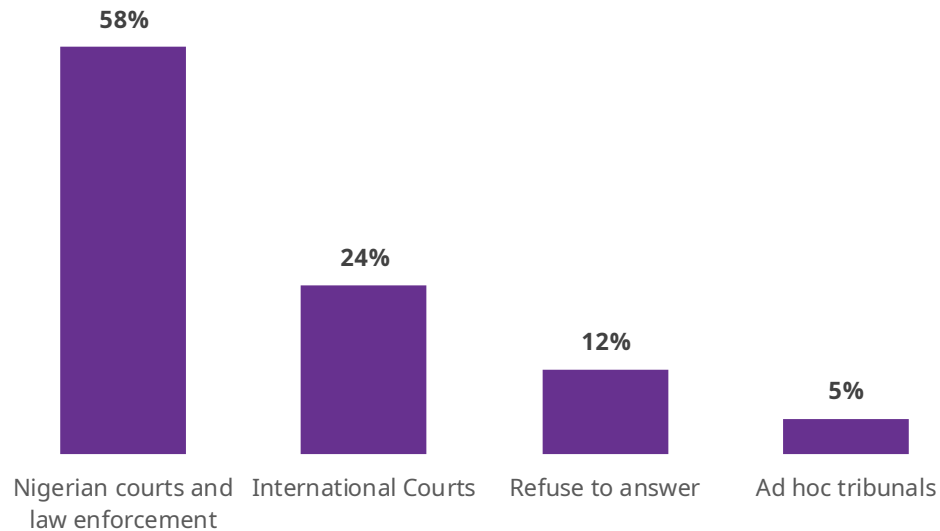
LEGAL PROBLEMS OF IDPs



Not all the IDPs in the sample left home because of terrorist activities in their states. But for those who did, we asked their opinion about dealing with the crimes that forced them to migrate.

IDPs in the sample that answered this question overwhelmingly trust national courts and law enforcement agencies to prosecute perpetrators, which means that local problems need local solutions.

BEST OPTION TO PROSECUTE THE PERPETRATORS?



N= 187

STORIES OF DISPLACEMENT

# The story of Aminah

*I am a female, from Borno State. I am 35 years old; I am married, residing at an IDP Camp.*

*The insurgency in my State is the reason why I am in IDP camp. We were living peacefully in until Boko Haram raid our village, shooting my people. My relatives were killed, my properties were burnt.*

*It is almost five years we are here, we are living in a trampoline house, rain is falling on us and our children are suffering. I have eleven children and I am heavily pregnant. That means I will be a mother of twelve children soon. I am grateful to God for the escape from terror but I am devastated by the trauma caused by Boko Haram. I left my house without a pair of cloth! My husband is jobless!*

*I appreciate all the kindness shown to us from people here, but home is where my heart is. I want to go home but I can't go to a town of terror. As a woman, I can't take the issue to the government, only men can do that. We want the government to restore peace in our homes and protect us. Let peace reign and let my people return to our roots.*

## LEGAL PROBLEMS OF IDPs



# Conclusions

IDPs encounter in their daily lives more often legal problems, compared to the general population of Nigeria.

Crime and employment –related problems appear frequently in the life of the IDPs.

The IDPs tend to engage the police more often than the rest of the Nigerians. This shows how acute are their needs for protection and security. Some qualitative stories collected in camps tell us that the relation with the police has nuances, and may become problematic.

Many IDPs lost property and jobs due as result of the displacement.

Those who were victimised by Boko Haram want that the crimes are properly documented and the truth is established. IDPs want Nigerians justice institutions to deal with the perpetrators of the crimes that led to their displacement.

IDPs are not very different from the general population in how they perceive the costs and quality of the existing justice journeys. However, qualitative stories show a life of needs and abuse. IDPs are large and particularly vulnerable group in Nigeria. Their needs need additional level of protection and concern.





# 10

## Conclusions and Recommendations

# Conclusions

## Legal problems are frequent and are part of Nigerians' daily lives

Access to justice is guaranteed by the 1999 constitution, at least on paper. We show in this research what people actually do when they face a legal problem.

More than 25 million new legal problems arise in Nigeria every year. Legal needs are distributed across many areas, such as neighbour-related problems, crime, money, employment, land and housing. Problems tend to co-occur, as people on average report almost two problems. These facts, together with the growing population and global warming changing the characteristics of the land, constitute important challenges for the country.

## Access to quality legal advice is unequal

Wealthier Nigerians are substantially more likely to engage lawyers at an early stage, to get to know what to do when experiencing a legal problem. Almost everyone who needed legal information and advice turned to someone they know; someone from their inner circle, their social network. Examples are relatives, friends and neighbours. This raises questions regarding the quality of legal advice people get in Nigeria, and whether poorer people are in an even more disadvantaged position. Institutions or formal providers of legal aid are rarely consulted. Only a third of people with problems consult with a formal provider. The most common one is the police,

which is not surprising, as it is the first point of contact between citizens and state institutions. Legal aid professionals or paralegals deal with a minuscule share of problems.

A third of people with problems do not seek legal information and advice. Out of those people, around 50% argue some sort of hopelessness, saying legal information would not help them. Legal awareness is high in cases of land disputes, which is the category with the highest percentage of people actually seeking information and advice, and where the highest percentage of consultations with lawyers occur.

## Resolution occurs outside courts of law

Cases that reach formal courts account for less than 10% of all legal problems. International data tells us that this is a common situation, comparable with many other countries. However, we observe again alarming levels of inequality in Nigerian justice journeys. People prefer to take action themselves or to engage family members.

We asked people who did not engage courts the reasons for acting that way. We asked an open question. People shared that the costs are prohibitive. Particularly, users are concerned about lawyers' fees, we learned in the validation workshop. Some people preferred to keep problems outside courts because some other dispute resolution mechanism was better suited

## CONCLUSIONS AND RECOMMENDATIONS

### 10

to speedy resolution, such as the police or family members. A third group of reasons relate to the lack of knowledge with regards to court proceedings. Taken together, this data suggests that Nigerians prefer expedite dispute resolution, even if it is not formal, or properly fair. Cultural norms and relationships of dependency also play a role here: they preclude seeking justice when women depend on their husbands and his family. These are the consequences of a lack of legal awareness, as we saw earlier.

Vulnerable groups have a harder time obtaining justice

Poorer people, particularly women, are the least likely to get a resolution for their legal problems. They are the least likely to take action to resolve their problems. They do not have access to lawyers and, according to the experts in the triangulation workshop, cultural norms preclude them from acting when dealing with spouses or other family members, let alone when dealing with or against police, employers, or government officials.

Crime, employment problems, and land-related disputes are the biggest sources of injustice

The data in this report is rich. There are at least seven problem categories with enough information to compose specific chapters. We have information about the negative consequences in people's lives due to the problems. Participants in the validation workshop helped us in defining the key problem areas where improvement is needed and innovation can make a difference. In this report, we presented a specific chapter on employment problems. We have developed

a justice dashboard<sup>11</sup> where users can drill through the data seeking for answers to their own questions about the supply, demand and quality of justice in Nigeria, and the rest of the countries we have studied.

Non-payment of wages and unfair termination of contracts are the main sources of employment-related disputes between workers and employers in Nigeria, and the impact on life is the most severe among all problem categories. Action rates are way below average, as well as resolution rates. Adherence to international standards provided by ILO is crucial for the country, as well as harmonizing laws at the federal level.

Nigeria is the biggest economy in Africa but faces many problems in this respect. We see them reflected in the high proportion of money related problems, which are, to an extent, related to employment problems.

Dealing with crimes is a priority for the federal and state governments. It is not a surprise for them that millions of Nigerians are victimized by petty crime. The police is the best-positioned public institution to address the demands: Police officers are the first contact point between citizens and formal institutions. Nonetheless, they need capacity building and training to become more user-friendly, as the federal action plan for justice reform aspires to. Still, the highest percentage of people who give up during the justice process occurs with crime problems.

<sup>11</sup> <https://justice-dashboard.com/>

## CONCLUSIONS AND RECOMMENDATIONS

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Land problems are prevalent in rural states and become a source of lengthy and costly disputes that may cross generations. During the late stages of fieldwork, we started to get reports of communal clashes between farmers and herders. Intelligence is needed to prevent these problems from escalating.

### Bright spots of justice in Nigeria

A high percentage of people are able to get their problems resolved. We must not forget, though, these are the people who effectively take action. Approximately 60% of people who initiate procedures get an outcome, total or partial. Some problems are easier to resolve than others. Neighbour related problems have a high resolution rate, mostly resolved by talking to the other party directly. Court users are very satisfied. The caveat is that there is an income bias in terms of access. IDPs get some protection offered by federal institutions, such as the National Commission for Refugees, Migrants and IDPs (NCRMI), which has a system to direct people with problems to the appropriate dispute resolution provider.



## CONCLUSIONS AND RECOMMENDATIONS

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# Recommendations

The Justice Needs and Satisfaction study in Nigeria combines HiiL's international expertise with local knowledge. This report's main asset is showing the needs and experiences of Nigerians looking for justice. They told us their main priorities in terms of justice, and we systematized them in this report. Measuring justice, innovating procedures and local solutions informed by best practices is a powerful combination to improve the lives of all Nigerians.

## Data as a springboard for evidence-based interventions and support for implementation

Ill-informed policies do more harm than good. The data in this report, which is accessible using HiiL's justice dashboard, can inform subsequent iterations of action plans for national and sub-national policies. Justice is not a static phenomenon. People learn, people move, people give up. This is why it is advisable to put in place a measuring system to obtain up-to-date, bottom-up data on justice that will allow for effective strategizing to increase the availability of what works, strengthening alternatives with high popular demand. In other words, putting the user at the centre of justice reform. What are the most effective institutions for resolving legal problems? The data show that courts and the police have the highest percentage of satisfied users. Are those

helpful institutions accessible? The data tell us that courts are inaccessible for poorer people and the police is moderately accessible, and sometimes has to do more than what the legal framework establishes for them.

The UN's Sustainable Development Goals (SDG) are a call for action to reduce poverty and to make the world fairer and more just. Specifically, SDG 16.3 aims to increase access to justice for all by promoting the rule of law at national and international levels. Nonetheless, the indicators to quantify how governments advance at fulfilling this goal are disconnected from what they are intended to measure. Governments have the opportunity to create national and sub-national indicators to track the progress they are making at reducing the gap in access to justice. Baseline studies to map out processes, evidence-based

interventions to improve procedures, impact-measurement, evaluation and learning, and scaling-up what works seems to be a positive approach towards strengthening the rule of law.

Data is not only the cornerstone of evidence-based interventions, but is also a pillar for effective implementation of already defined policies, for instance, with the use of indicators in criminal justice, or by obtaining user feedback to achieve more transparency and accountability. We understand that technology-based innovations are sometimes difficult to implement, and for this, cooperation between stakeholders and international experts is fundamental.



## CONCLUSIONS AND RECOMMENDATIONS

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### Invest in justice innovation

Governments are not alone when addressing their citizen's most pressing justice needs. Entrepreneurial Nigerians have created a community of justice innovators that help people prevent or resolve their justice needs by providing user-friendly, actionable information when it is needed, and by offering affordable procedures and fair resolutions.

DIY Law<sup>11</sup>; LegitCar<sup>12</sup>; Budgit<sup>13</sup>; LawPadi<sup>14</sup>. These are just some of the innovations that are currently providing solutions and holding the government accountable. These are local solutions to local problems. We have identified more, which will be competing to be the best Nigerian innovation in the Justice Innovation Conference 2018 in Lagos.

Based on the data, we see that innovations tackling small claims could have a potentially high-impact on vulnerable Nigerians that need justice. The legal sector is missing an important amount of money because people do not like the current value-proposition. There is a significant number of people uncertain where to go to resolve their problems, and people are reluctant to buy legal services in the state that they are currently offered.

In other countries we find examples, models, such as Legal Zoom<sup>15</sup>. Legal Zoom is a for-profit legal innovation that works and is self-sustainable. It is about citizens taking care of their problems without asking for subsidies from the government. It is efficient and it works.



### Design hybrid justice chains to deliver inclusive justice journeys

People in Nigeria engage multiple justice providers to resolve their legal problems. Formal and informal dispute resolution mechanisms are engaged. Traditional leaders, religious leaders and customary courts together deal with an important percentage of cases, acting as a dispute resolution mechanism that is affordable and accessible. Different legal systems interact with each other.

A justice system focused on the needs of the users of justice provides seamless justice journeys. On such justice journeys people can easily move from informal to formal providers and vice versa. This flow of justice journeys amid formal and informal providers is the core of hybrid justice.

The essence of hybrid justice is that the steps of the justice journey reinforce each other and lead to fair and effective resolutions. Clever hybrid justice designs avoid the problems of forum shopping or the submission problem. Problems are routed towards resolutions at the lowest possible levels, i.e. community leaders and local authorities. The processes and

results of such processes should be accessible, fair and linked to enforcement mechanisms. The parties, however, should have access to redress mechanisms with the next tier of providers. At this next level the decisions of the lowest level should be subject to review.

This link between formal and informal, local and centralized justice institutions can provide for easy-to-navigate and accessible justice journeys. Nigeria already has a good example; the integration of regular, customary and sharia courts into a unified system. Examples from other countries can be used as an inspiration. The various levels of local council courts in Uganda and the Abunzi committees in Rwanda are good references for linking formal and informal systems into seamless justice journeys.

The way forward is to continue listening to the people and designing hybrid justice procedures according to their needs. Hybrid justice chains will need institutional capacity building, careful design of information and communication flows, case management, sound business models and awareness.

<sup>11</sup> <https://diylaw.ng>

<sup>12</sup> <https://legitcar.ng>

<sup>13</sup> <http://yourbudgit.com>

<sup>14</sup> <https://lawpadi.com>

<sup>15</sup> <https://www.legalzoom.com>



## CONCLUSIONS AND RECOMMENDATIONS

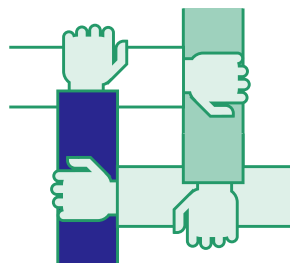
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### Creative use of alternative dispute resolution processes

Courts and lawyers are expensive mechanisms for resolving legal problems. The data shows that they are out of reach for poor and excluded Nigerians.

Most legal problems can be resolved with fair and just outcomes well before the involvement of courts and lawyers. Mechanisms such as reconciliation, assisted negotiation, mediation and arbitration have the potential to deal with a huge proportion of legal problems that Nigerians encounter. For many low-value/high-volume problems, such as disputes between neighbours or over debt, such mechanisms are the only viable justice journey. An option is to have fixed-fee lawyers, paralegals, mediators or facilitators available to be bridge-builders, to help the owners of the problem resolve it.

Alternative methods for dispute resolution can be designed to ensure that only the most serious problems climb the ladder and are addressed in courts. This can be done off-line and online. Nigerian society and communities possess a long tradition of community-based dispute resolution. In modern times, the massive spread of the Internet has transformative potential. Online dispute resolution (ODR) is emerging as an enhancement and alternative to real-world dispute resolution. Given the large volumes of low-value/high-volume legal disputes, ODR can be explored by Nigerian entrepreneurs, justice providers, policy makers and other stakeholders as an option for organizing and delivering justice.



### Strengthen the role of police in resolving non-criminal legal problems

Of all the formal institutions for dispute resolution in Nigeria, the police is the most frequently used. Many people seek the help of the police to investigate and resolve crimes. But also, for many Nigerians the police is the first point of contact with justice institutions. People go to the police for various problems which are not related to crime or public disorder.

Without proper training and institutional incentives, police officers tend to discard problems which they consider non-core. But these problems are very eminent and impactful for the people who encounter them.

Based on the data, we recommend that the police in Nigeria systematically increases its capacity for resolving the disputes that people face - conflicts between neighbours, and disagreements over money, land and employment. These problems are not crimes but people and communities need protection and frequently seek information and help from the police. Capacity building for the police and street-level officers, through the elaboration and dissemination of best-practices guidelines, would allow them to effectively guide people to appropriate dispute resolution mechanisms if needed.



## About the JNS

Justice is not just about the number of reported crimes. Nor is it about courts and laws. It is about common people. Their daily lives, their pain and frustration – and the justice outcomes that they get or do not get.

That is why we listen to people in each country to measure their satisfaction. We collect the voices of thousands with our Justice Needs and Satisfaction Survey (JNS) tool. It is the state of play that reveals people's actual legal problems, experiences and access to justice.

Adjusted to the specific context of the country it provides in-depth understanding for people working in the justice sector.

We also make the data available to policy-makers through clever interfaces, so they can work with the findings. The responsible use of this data leads to knowledge, creates empowerment, and builds accountability.

The countries we have worked in since 2014 include The Netherlands, Jordan, Mali, Tunisia, Uganda, Ukraine, Kenya, Bangladesh and the UAE. Our target countries for 2018 and 2019 are Morocco, Fiji, and the second waves in Mali and Uganda.

For more information, visit [www.hiil.org](http://www.hiil.org)

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# Nigerians want to resolve their legal disputes in a fair way

## **Seven out of ten Nigerians experience legal problems.**

We went to the homes of 6,130 randomly selected Nigerians across all geopolitical regions. Their voices represent the experiences of more than 180 million fellow citizens. We knocked at their doors to ask them whether they had experienced one or more of the 102 specific legal problems on our list. Nigerians suffer most from neighbour-related disputes, crime, money, land and employment issues. Seven out of ten Nigerians report at least one problem.

## **People get legal information and advice from their personal network.**

We asked if they sought legal information and advice in trying to resolve their legal problems. Around 70% of them did so, mostly through people they know. Lawyers are accessible only to those who can afford them.

## **Many people get their problems resolved, but sometimes fairness is missing.**

The enumerators asked if people acted to resolve their legal problems. Around seven out of ten did so, mostly by approaching the other party directly. Sometimes they involved friends and family as well. Resolution usually happens outside of courts and without lawyers.

Regarding resolution, only four out of ten processes reach complete resolution. The majority of Nigerians do not get a fair resolution, particularly in cases related to employment.

## **Women and poor people suffer the most.**

Poor women are the least likely to get their legal problem resolved, and if they do, the quality of the result does not satisfy them. Poor people have more employment-related legal problems.

There are ways to increase fairness in daily life in Nigeria. We invite you to continue reading the report and explore the data on Hiil's Justice Dashboard at [www.justice-dashboard.com](http://www.justice-dashboard.com)