

## VICTIMS OF JUSTICE ADMINISTRATION IN NIGERIA: LESSONS TO BE LEARNT FROM FINLAND\*

### Abstract

*In Nigeria, victims of crime often suffer physical injury, emotional distress, financial loss, and a pervasive lack of support. Many feel unheard, particularly because criminal conduct is legally defined as an offence against the state rather than the individual. This doctrine, though explainable in theory, leaves victims feeling neglected and confused about their role in the criminal justice process. This study examines the rights and treatment of crime victims in Nigeria and compares them with practices in Finland. Its primary objective is to analyse what happens to victims who have suffered harm and how they are treated before, during, and after trial and sentencing. It further juxtaposes Nigeria's criminal justice administration with that of Finland to highlight differences in victim-centered support. Using a doctrinal methodology, this research reviews extensive academic literature to understand persistent challenges in Nigeria's justice administration and to draw lessons from Finland's more victim-inclusive framework. The study finds significant gaps in Nigeria's current system, including inadequate policies, weak institutional practices, and insufficient judicial commitment to victim protection. These deficiencies underscore the need for comprehensive reforms, including policy overhaul, improved judicial responsiveness, and revision of criminal laws to reflect a more victim-supportive model. The study concludes with recommendations aimed at elevating Nigeria's victim-rights standards to those observed in Finland. Strengthening mechanisms for compensation, restitution, and restoration will ensure that victims' rights are protected and their voices adequately heard. Ultimately, the insights drawn from this comparative study offer valuable guidance for authorities and stakeholders seeking to improve the administration of criminal justice in Nigeria.*

**Keywords:** Crime, Compensation, Criminal Legislations, Damages, Victim Rights

### 1. Introduction

The Nigeria criminal justice system pays particular attention to the rights of the defendant in determining his or her guilt or innocence and punishment where necessary. See section 36 (1) & 5 of the Constitution<sup>1</sup> on fair hearing and presumption of innocence until proven guilty.<sup>2</sup> At the international level, the Universal Declaration of Human Rights set the pace when it provides in Article 11(1) that: 'Everyone charged with the penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for defence.' There is little or no regard for victims of an offence, at best, he or she is mainly used as a star or vital witness for the prosecution in criminal trials without having any influence in the quantum of punishment to be meted out. In any allegation of crime or commission of an offence, the state is regarded as the Complainant while the victim is the nominal Complainant. This brings to fore the immortal words of the then Justice of the Supreme Court. In the words of Erudite Justice *Oputa*, JSC of the blessed memory (may his soul rest in peace) in the case of *Godwin Josiah v State*,<sup>3</sup> His Lordship said that;

Justice is not a one-way traffic. It is not justice for the appellant only. Justice is not even only a two-way traffic. It is really a three-way traffic: justice for the appellant accused of a heinous crime of murder; justice for the victim, the murdered man, the deceased, 'whose blood is crying out to heaven for vengeance' and finally justice for society at large; the society whose social norms and values had been desecrated and broken by the criminal act complained of.

Ordinarily, the major concern of a victim in a case of stealing or obtaining money under false pretence for instance centres on the return of his or her property after which he or she develops cold feet as regards any other invocation of the criminal processes. This study derives from the fact that victims of crime deserve adequate compensations and the fundamental question will be, are there truly compensations or damages available for victims of crime

---

\*By **Anthony I. IWOWO, LLB, BL, LLM, FIMC**, M.O. UBANI, SAN & CO., 11B, Ogunlowo Street, Ikeja, Lagos State, Nigeria, Email: iwowotony@gmail.com, Tel: 08034440807

\***Adekunbi F. IMOSEMI, LLB, BL, LLM, PhD, PhD, ACIarb**, Professor of Law HOD, Department of International Law and Security Studies, Babcock University, Iperu, Ogun State, Nigeria; Email: imosemia@babcock.edu.ng, imosemikunbi@gmail.com 07068025957; and

\***Mercy A. IWOWO, LLB, BL, LLM**, Lords & Flair (Legal Practitioners & Notaries Public) No. 4A, Araromi Street, Off Awolowo Way, Anifowoshe, Near Ikeja Local Government Council, Ikeja, Lagos State, Nigeria, Email: mercyiwowo@gmail.com, Tel: 09069997502

<sup>1</sup> The Constitution of the Federal Republic of Nigeria, 1999, (As Amended)

<sup>2</sup> F Ibude and I U Wali, 'Presumption of innocence & burden of proof, a cardinal principle of criminal justice administration' <<http://www.omalex.com.ng/>> accessed 7 October 2025, The presumption of Innocence- Criminal Defense <<https://www.upcounsel.com/lect1-the-presumption-of-innocence-criminal-defense>> accessed 7 October 2025

<sup>3</sup> [1985]1 NWLR (Pt. 1) 125

under our criminal jurisprudence? At the end of this study, one would have known if it was tenable or not. This study will be divided into six parts of subheadings which shall be comprehensively x-rayed.

The Nigerian criminal justice system accords significant priority to the rights of the defendant, particularly the constitutional guarantees of fair hearing and the presumption of innocence under section 36(1) and (5) of the Constitution of the Federal Republic of Nigeria.<sup>4</sup> These protections align with international human rights standards, notably Article 11(1) of the Universal Declaration of Human Rights, which affirms the right of every accused person to be presumed innocent and to receive all necessary guarantees for their defence in a public trial.<sup>5</sup> While essential to safeguarding due process, these provisions have unintentionally entrenched a systemic disregard for the rights and interests of victims of crime. Victims are typically treated as mere witnesses for the prosecution, without participatory influence in trial proceedings or in decisions regarding sentencing, even when they have suffered substantial harm. The legal classification of the State as the principal complainant, relegating the victim to a nominal role, further entrenches their marginalisation. This stands in contrast to the Supreme Court's articulation in *Godwin Josiah v State*, where Oputa JSC emphasised that justice must be a 'three-way traffic' serving the accused, the victim, and society at large.<sup>6</sup> Despite this jurisprudential insight, Nigerian criminal procedure has yet to reflect a truly victim-centred orientation. As a result, victims often prioritise the recovery of their property in cases such as theft or obtaining by false pretence, losing interest thereafter due to limited institutional support. This raises a central question for this study: Does Nigerian criminal jurisprudence provide effective, accessible, and meaningful mechanisms for victim compensation, restitution, or damages? The persistent ambiguity surrounding victims' rights underscores a critical structural gap, necessitating a comprehensive doctrinal examination.

## 2. Conceptual Clarifications

### Crime

It means an act or omission that is prohibited by the law and it is punishable by the law as an offence against the society. See the Constitution.<sup>7</sup> This provision states that for an act to amount to offence under the law, the punishment must be prescribed. Without law, there is no crime. For purposes of this study, Crime is an act of offense which violates the law of the State and is strongly disapproved by the society. This is the threshold for measuring any act or omission that translates into crime or otherwise.

### Victim of Crime

A victim is any person or group of persons who individually or collectively has/have suffered harm which may be physical or mental injury, emotional, economic loss or substantial impairment of his fundamental rights, through the acts or omissions that are in violation of criminal laws.<sup>8</sup> It also connotes someone who has been harmed through a kind of activity prohibited by the criminal law. Karibi Whyte also defined victim as any person, dependent or institution who has suffered injury from the criminal act of the offender who has been found guilty in such acts.<sup>9</sup> Where a person is killed or wounded during the commission of a criminal offence, he is considered a victim so long as he did not participate in the unlawful act or conducts that led to his death in the first place. Victim is a person or group of persons on whom harm has been inflicted individually or collectively, resulting from the perpetration of a crime, or their immediate family or dependents, guardian or ward. A person on whom harm has been inflicted while intervening to assist victims in distress is also regarded as a victim.<sup>10</sup> Victims may also include where appropriate the immediate family members or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization. This is regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familiar relationship between the perpetrator and the victim. Several authors have argued that crime victims in Nigeria are passive participants in the criminal justice, who in the end goes home, most times, devastated without reparation

---

<sup>4</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended), s 36(1), (5)

<sup>5</sup> Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III)) art 11(1)

<sup>6</sup> *Godwin Josiah v State* (1985) 1 NWLR (Pt 1) 125 (SC)

<sup>7</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended) s 36 (12)

<sup>8</sup> SJ Mandl, Who is a Victim? The Concept of Victim in the Victims' Rights Directive. A human rights analysis of the concept of victim from a gender-specific perspective, *SIAC Journal for Police Science and Practice* (International Edition Vol. 12), 49-63, Online: [http://dx.doi.org/10.7396/IE\\_2022\\_E](http://dx.doi.org/10.7396/IE_2022_E); Section 46 of the Violence against Persons (Prohibition) Act, 2015

<sup>9</sup> K Whyte, *National Policy on Compensation to Victim of Crime, How Desirable*, Federal Ministry of Justice, Lagos, 1990, in F Izobo, 'Challenges of Victims of Crime in Administration of Criminal Justice in Nigeria', *International Journal of Business & Law Research* [2019], 7(2), 78

<sup>10</sup> DD Adeyemo, 'The Rights of Victims of Core International Crimes to Reparation in Nigeria', *African Human Rights Law Journal*, [2021] 21, 1072

by the state or the offender. This study therefore finds justification for compensation of victims of crime in the Nigerian criminal justice system.<sup>11</sup>

### **3. Compensation, Restitution and Restoration as the Major Remedies Evident in our Criminal Laws**

The rights of victims of crimes lie in the remedies available for them as provided in the Administration of Criminal Justice Act.

**Compensation:** This refers to monetary value, that somebody gives you because he or she has hurt you, or damaged something that you own. It is a form of personal reparation disbursed to the victim of crime by the offender. According to Black Law Dictionary,<sup>12</sup> Compensation refers to recompense, indemnity, or payment for loss or injury, and can also mean the payment of wages for services rendered.<sup>13</sup> Compensation is the monetary payment to victim of crime by the offender. The Administration of Criminal Justice Act<sup>14</sup> defines Compensation in terms of fine and provides that 'fine' includes any pecuniary penalty or pecuniary forfeiture or pecuniary compensation payable under this Act. It also means an act of giving back to a rightful owner. It is giving of something as an equivalent for what has been lost or damaged. It further relates to the return or restoration of movable property either stolen or otherwise dishonestly acquired or taken without authorization. By the provisions of sections 314, 319 and 328 of the Administration of Criminal Justice Act,<sup>15</sup> These sections deal specifically on compensation, damages and restitution in our criminal law. Section 314 of the Act provides that, Notwithstanding the limit of its civil or criminal jurisdiction, a court has power, in delivering its judgment, to award to a victim commensurate compensation by the defendant or any other person or the State.

Section 319 provides that,

A court may, within the proceedings or while passing judgment, order the defendant or convict to pay a sum of money.

- i. As compensation to any person injured by the offence, irrespective of any other fine or other punishment that may be imposed or that is imposed on the defendant.
- ii. In compensating a bona fide purchaser for value without notice of the defect of the title in any property in respect of which the offence was committed and has been compelled to give it up
- iii. In defraying expenses incurred on medical treatment of a victim injured by the convict in connection with the offence.

Section 328 of the Act provides that,

where in a charge of an offence relating to property and the court is of the opinion that the evidence is insufficient to support the charge, but that it establishes wrongful conversation or detention of the property, the court may order that such property be restored and may also award reasonable damages to the person entitled to the property.

It must be mentioned that the provisions of ACJA for compensation for victims of crimes are not mandatory and depends on the court's discretion. The Act's specific provisions for compensation, damages or restitution and restoration are largely discretionary, meaning a court may or may not order them and this situation or gap of lack of mandatory provisions under the criminal law makes it extremely and essentially difficult for the victims of crimes to be compensated. Sometimes, when given at all, it is paltry and inadequate.<sup>16</sup> In the key provisions of Sections 314, 319 and 328 of the Act enunciated above, which allow courts to order compensation to injured persons or victims' estates from the convicted person to cover losses, medical expenses, or to an innocent

---

<sup>11</sup> JK Ukwayi, and JT Okpa, 'Critical Assessment of Nigeria Criminal Justice System and the Perennial Problem of Awaiting Trial in Port Harcourt Maximum Prison, Rivers State', *Global Journal of Social Sciences*, [2017], 16, 17; UA Yusuf and SS Yahaya, 'Crime Victims and Criminal Justice Administration in Nigeria', *Global Journal of Interdisciplinary Social Science*, [2014], 3(5), 48; A B Dambazau, *Criminology and Criminal Justice* (2nd edn Ibadan: Spectrum Books Limited, 2009), 61.

<sup>12</sup> *Black's Law Dictionary*, 10<sup>th</sup> Edn Thomas Reuters 2014; *Oxford Advanced Learner's Dictionary*, 6th ed (Oxford University Press, 2001), p 227

<sup>13</sup> Section 6 of the South African Service Charter for Victims of Crime provides that 'Compensation' refers to an amount of money that a criminal court awards the victim who has suffered loss or damage to property, including money, as a result of a criminal act or omission by the person convicted of committing the crime. Available at <[https://www.npa.gov.za/UploadedFiles/Victims charter](https://www.npa.gov.za/UploadedFiles/Victims%20charter)> accessed 7 October 2025

<sup>14</sup> Administration of Criminal Justice Act, 2015, Section 494

<sup>15</sup> *ibid*

<sup>16</sup> BO Igwenyi, and DO Agbara 'Justifying State Compensation for Victims of Crime in Nigeria' *African Journal of Criminal Law and Jurisprudence (AFJCLJ)* 10 (2025) <<https://journals.ezenwaohaetorc.org/index.php/AFJCLJ/article/>> Accessed on 7 October 2025

purchaser of property involved in the crimes, they are simply not enough to assuage the injuries or pains suffered by the victims of crimes in the society.<sup>17</sup>

In practical term, our criminal courts are usually reluctant to award damages or compensation as the case may be to victims of crime. Instead, the courts more often award restitution to the victims of crime for the defendant to return the monetary value involved in the charge.<sup>18</sup> Such an order can be made by the courts where the defendant has acquired a benefit through his own wrongful or criminal act, such as may occur in the case of stealing or obtaining property or money under false pretences. It is trite that the law does not aid any person to benefit from his own wrong. In other words, he who comes to equity must come with clean hands. It goes without saying that no one should be allowed in law to benefit from his own wrong or mischief in line with the Latin maxim *nullus commodum capere potest de injuria sua propria*.<sup>19</sup>

**Restitution:** this refers to a form of reward or refund for the hurt done to a victim of crime by the offender. This becomes feasible by or upon the order of a court after a conviction of the offender with a view to preventing the unjust enrichment of the offender as well as effectively ensuring that the victim is restored as far as possible to the *status quo ante crimum*.<sup>20</sup> In this circumstance, the court usually awards restitution for the defendant to return the monetary value involved in the charge.<sup>21</sup>

**Restoration:** It is defined as any process in which the victim and the offender and, where appropriate, any other individuals or community members affected by a crime, participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator. Restoration processes may include mediation, conciliation, conferencing and sentencing circles.<sup>22</sup> This system of administration of justice heals relationships ravaged by conflicts, violence, hatred and greed. It is worth mentioning that, restorative justice, which is not just justice designed to punish, is being recognized as emerging human rights for victims, offenders and the community. Section 31 of the Police Act<sup>23</sup> provides for the restoration of unclaimed property in the possession of the police to a person appearing to the court to be the owner.

#### 4. Theoretical Frameworks

A solid theoretical foundation is necessary for analysing the treatment of victims within the Nigerian criminal justice system and for drawing lessons from Finland's victim-centred framework. The following theories guide this study by explaining the structural, institutional, and sociological factors that shape victims' experiences.

*Victimology Theory:* Victimology examines the experiences, needs, and rights of victims within the crime and justice process. Contemporary victimology emphasises victims as stakeholders who require recognition, protection, and support across all stages of the criminal justice system.<sup>24</sup> In Nigeria, victims often lack institutional acknowledgment, reflecting a system that has not fully adopted modern victimological principles. Finland, however, embodies victimology's central objectives through its victim-support schemes, state-funded compensation, and participatory rights.

*Procedural Justice Theory:* Procedural justice theory posits that perceptions of fairness such as respectful treatment, transparency, and participation improve public trust in legal institutions.<sup>25</sup> Nigerian victims frequently encounter opaque procedures, limited communication, delays, and exclusion from decision-making, which erode confidence and reinforce trauma. In contrast, Finland integrates procedural justice through trauma-sensitive court practices and comprehensive victim information systems.

---

<sup>17</sup> Criminal Procedure Act, Cap 41 LFN 2004 ss 255, 259 260 and 435 (2)

<sup>18</sup> O Aladeitan and A Suleman, 'Victim Compensation in Nigeria Criminal Justice System: Modelling the Islamic Law Provision of Diyyah' (2024) 1 *Nigerian Journal of Islamic Law* 192-205; Ayo A., 'Making the Crime Victim Important Again' in *Thisday live*, 06 Dec 2010

<sup>19</sup> which means that no one can take advantage of his or her own wrong

<sup>20</sup> The state before the occurrence of the crime

<sup>21</sup> Justice B E Oniha 'Victim- Costs, Compensation and Restitution under the Administration of Criminal Justice Act, 2015, a paper presented at a Capacity Building Training/ Workshop organized by The Edo State Administration of Criminal Justice Monitoring Committee (ACJMC) and the Justice Sector Reform Team (JSRT) on the 11th of July, 2025

<sup>22</sup> E Aloba and J Inaku (2018) 'An Appraisal of the Principle of Restorative Justice in the Nigerian Criminal Justice System' *International Journal of Engineering Technologies and Research (IJET&R)* (5) 137 accessed on 7 October 2025

<sup>23</sup> Nigerian Police Act, 2020

<sup>24</sup> Andrew Karmen, *Crime Victims: An Introduction to Victimology* (9th edn, Cengage Learning 2015) 5-12

<sup>25</sup> Tom R Tyler, *Why People Obey the Law* (Princeton University Press 2006) 115-130

*Social Support Theory:* Social support theory underscores the importance of emotional, psychological, informational, and material support in mitigating the impact of trauma.<sup>26</sup> Nigeria's criminal justice system provides minimal support services, leaving victims vulnerable to prolonged suffering. Finland's model, operationalised through Victim Support Finland (RIKU), demonstrates how structured support significantly enhances victims' recovery and engagement with justice processes.

*Strain Theory (Victim-Focused Interpretation):* Traditionally a criminological theory, strain theory has been applied to victimology to explain how victims' experiences of trauma, frustration, and institutional neglect can produce emotional distress, withdrawal, and reluctance to pursue justice.<sup>27</sup> Many Nigerian victims disengage from the justice process after initial reporting due to systemic failures and absence of institutional care. This theory helps illustrate how unaddressed strain contributes to justice abandonment.

*Feminist Criminological Theory:* Feminist criminology highlights gendered power dynamics and structural inequalities that shape victims' experiences, especially in cases of sexual or domestic violence.<sup>28</sup> In Nigeria, patriarchal norms, stigma, and inadequate institutional responses disproportionately silence female victims. Finland's gender-sensitive framework integrating shelters, counselling, and specialised services reflects the theoretical principles of feminist criminology.

*Restorative Justice Theory:* Restorative justice focuses on repairing harm, restoring victims, and reintegrating offenders. It views victims as central participants whose needs and experiences should guide justice processes.<sup>29</sup> Nigeria's predominantly retributive system sidelines victims and provides limited opportunities for restitution or participation. Finland's integration of restorative practices, including mediation and structured victim-offender dialogue, demonstrates the transformative potential of this theory.

*Systems Theory of Criminal Justice:* Systems theory conceptualises the justice system as an interconnected network of institutions—police, courts, corrections, social services, victims, and communities.<sup>30</sup> Weaknesses in policing, prosecution, and victim-support mechanisms in Nigeria affect the entire system, producing fragmented justice delivery. Finland's coordinated inter-agency approach illustrates how a well-integrated system improves victim outcomes and enhances justice efficiency.

## **5. Legal Frameworks Incorporating Regional and International Standards**

The legal protection afforded to victims of crime in Nigeria is shaped by domestic legislation as well as regional and international human rights instruments. These frameworks collectively impose obligations on the State to recognise, protect, and promote the rights and welfare of victims. However, gaps in implementation often result in limited practical support for victims within the Nigerian criminal justice system.

### **Domestic Legal Framework**

*Constitution of the Federal Republic of Nigeria 1999 (as amended):* The Constitution provides fundamental rights that indirectly benefit victims, including the right to dignity,<sup>31</sup> fair hearing,<sup>32</sup> and access to justice.<sup>33</sup> Although the Constitution primarily emphasises the rights of the accused, its provisions imply State obligations to ensure that victims are treated fairly within the justice system. However, the absence of explicit constitutional recognition of victims' rights contributes to their marginalisation.

*Administration of Criminal Justice Act (ACJA) 2015:* The ACJA introduces limited but notable advances for victims. Section 1(c) provides that the objectives of the Act include 'ensuring that the rights and interests of the victim are protected.'<sup>34</sup> Section 319 also allows courts to order restitution to victims. Nonetheless, the Act does not create comprehensive rights to compensation, participation, information, or protection, lagging behind international victim-rights norms.

---

<sup>26</sup> World Health Organization, *Responding to Violence and Trauma: A Guide to Mental Health Interventions* (WHO 2013) 8-12

<sup>27</sup> Robert Agnew, 'Foundation for a General Strain Theory of Crime and Delinquency' (1992) 30 *Criminology* 47, 51-62

<sup>28</sup> Meda Chesney-Lind and Lisa Pasko, *The Female Offender: Girls, Women and Crime* (3rd edn, Sage 2013) 22-30

<sup>29</sup> John Braithwaite, *Restorative Justice and Responsive Regulation* (OUP 2002) 11-17

<sup>30</sup> Malcolm Davies, Hazel Croall and Jane Tyrer, *Criminal Justice* (6th edn, Pearson 2014) 45-48

<sup>31</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended), s 34

<sup>32</sup> *ibid* s 36(1)

<sup>33</sup> *ibid* s 46

<sup>34</sup> Administration of Criminal Justice Act 2015, s 1(c)

*Criminal Code Act and Penal Code Act*: Both codes criminalise behaviours that cause harm to individuals but do not elaborate victim-specific rights or protections. The focus remains prosecutorial, reflecting a retributive justice model where the State, not the victim, is the primary complainant.<sup>35</sup>

### Regional Legal Frameworks

*African Charter on Human and Peoples' Rights (ACHPR) 1981*: Nigeria is a signatory to the ACHPR, which guarantees the rights to dignity,<sup>36</sup> equality before the law,<sup>37</sup> and fair trial.<sup>38</sup> Although the Charter does not explicitly define victims' rights, its provisions imply State obligations to protect individuals from harm and provide remedies for violations. The African Commission has interpreted these rights broadly to include protection and restitution for victims of crime and human rights abuse.<sup>39</sup>

*Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol) 2003*: This protocol provides significant protections for female victims, including the right to dignity, freedom from violence, and access to justice and remedies.<sup>40</sup> In the Nigerian context—where women disproportionately suffer from sexual and gender-based violence—the Maputo Protocol establishes a normative standard for victim protection that remains insufficiently implemented.

*ECOWAS Standards*: The ECOWAS Declaration on Politically Motivated Violence and Abuse (2001) emphasises member states' obligations to protect victims and ensure accountability.<sup>41</sup> While not legally binding, it forms part of the regional human rights architecture shaping Nigeria's obligations.

### International Legal Frameworks

*United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985)*: This is the foundational international instrument on victims' rights. It defines victims broadly and recognises their rights to access justice, fair treatment, restitution, compensation, and support services.<sup>42</sup> Nigeria, as a UN member, is expected to align its domestic law with these standards. However, gaps remain in institutionalising victim participation, psychological support, and compensation schemes.

*Universal Declaration of Human Rights (UDHR) 1948*: Although not specific to victims, articles on dignity,<sup>43</sup> equality,<sup>44</sup> and effective remedies<sup>45</sup> establish global human rights norms that apply to the treatment of victims. Article 11 affirms the presumption of innocence for the accused, but this must be balanced with the victims' right to justice and protection.

*International Covenant on Civil and Political Rights (ICCPR) 1966*: The ICCPR requires states to provide effective remedies for rights violations,<sup>46</sup> ensure fair trial processes,<sup>47</sup> and protect individuals from inhuman or degrading treatment.<sup>48</sup> These obligations extend to victims, who must be treated with dignity and provided with access to justice. Nigeria ratified the ICCPR in 1993, yet domestic legislation remains insufficiently aligned with its victim-centred provisions.

*Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979*: CEDAW obliges states to protect women from violence and discrimination and to ensure access to justice and remedies.<sup>49</sup> Nigeria has ratified CEDAW, but implementation challenges persist, particularly regarding gender-based violence, rape prosecution, and victim support services.

*UN Convention on the Rights of the Child (CRC) 1989*

Children who are victims of crime have special protections under the CRC, which guarantees their rights to protection, assistance, and recovery.<sup>50</sup> Nigeria has domesticated the CRC through the Child Rights Act 2003, but enforcement remains inconsistent.

*Comparative Insight: Finland's Legal Framework*: Finland provides a strong legal basis for victim protection through: The Criminal Procedure Act, which grants victims participatory rights; The Act on the Compensation for

---

<sup>35</sup> Criminal Code Act (Nigeria) and Penal Code Act (Northern Nigeria)

<sup>36</sup> African Charter on Human and Peoples' Rights (1981), art 5

<sup>37</sup> *ibid* art 3

<sup>38</sup> *ibid* art 7

<sup>39</sup> African Commission on Human and Peoples' Rights, *General Comment No 4 on the Right to Redress* (2017)

<sup>40</sup> Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003), arts 1-4

<sup>41</sup> ECOWAS, *Declaration on Politically Motivated Violence* (2001)

<sup>42</sup> United Nations, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* (UNGA Res 40/34, 1985)

<sup>43</sup> Universal Declaration of Human Rights 1948, art 1

<sup>44</sup> *ibid* art 7

<sup>45</sup> *ibid* art 8

<sup>46</sup> International Covenant on Civil and Political Rights 1966, art 2(3)

<sup>47</sup> *ibid* art 14

<sup>48</sup> *ibid* art 7

<sup>49</sup> Convention on the Elimination of All Forms of Discrimination Against Women 1979, arts 2-3

<sup>50</sup> Convention on the Rights of the Child 1989, arts 19, 39

Crime Damage, which guarantees state-funded compensation; The Victim Support Act, establishing free legal and psychological support.<sup>51</sup>

These standards far exceed those in Nigeria and demonstrate how domestic law can integrate international norms effectively.

## **6. The Distinction Between Criminal and Civil Matters**

The distinction between civil and criminal liability remains central to understanding the remedies available to victims of crime in Nigeria. In popular discourse, people often speak of ‘compensation’ or ‘damages’ in criminal matters at police stations and in court. However, doctrinal analysis shows that compensation and damages are traditionally civil law remedies, not criminal sanctions.<sup>52</sup> In practical terms, Nigerian criminal law does not entitle a victim to compensation as of right; instead, criminal courts primarily award restitution, which is narrower in scope and directed at returning property or its monetary equivalent.<sup>53</sup> Criminal courts are generally more disposed to ordering restitution because it prevents unjust enrichment of the offender and restores the status quo ante, even though it may not adequately address victims’ emotional, psychological or consequential losses.<sup>54</sup>

The distinction between criminal and civil wrongs is well established. Civil law aims principally at compensating the victim for the injury suffered, restoring them as far as possible to their prior position.<sup>55</sup> Criminal law, by contrast, seeks to prohibit, punish, and deter harmful conduct, with the primary objective being protection of the public interest rather than vindication of individual loss.<sup>56</sup> This foundational purpose shapes criminal procedure and explains why compensation is not a routine or mandatory feature of criminal sentencing in Nigeria. While the Administration of Criminal Justice Act 2015 contains provisions permitting courts to order compensation or damages, such awards remain discretionary and are rarely applied in practice.<sup>57</sup>

Unless the Nigerian criminal law framework is amended to incorporate stronger victim-centred provisions such as mandatory compensation guidelines, statutory rights to restitution, and state-funded victim compensation schemes, the current distinction between civil and criminal remedies will continue to limit victims’ access to meaningful redress. The reforms recommended in this study aim to bridge this gap by strengthening the role of victims within the criminal justice system and expanding the scope of remedies available to them.

## **7. Trauma Experienced by Victims in the Nigerian Criminal Justice System**

Victims of crime in Nigeria often experience multifaceted trauma that extends far beyond the immediate physical harm inflicted during the criminal act. Trauma manifests psychologically, socially, emotionally, and economically, and is frequently aggravated by systemic inadequacies within the criminal justice process.<sup>58</sup> The absence of comprehensive victim-support structures contributes to prolonged suffering and secondary victimisation.<sup>59</sup>

*Psychological and Emotional Trauma:* Victims commonly exhibit symptoms associated with post-traumatic stress disorder (PTSD), including anxiety, fear, hypervigilance, intrusive memories, and depression. The World Health Organization notes that exposure to violence significantly increases the risk of long-term mental health disorders, particularly when victims lack access to psychological support.<sup>60</sup> In Nigeria, such support services are scarce or inaccessible, meaning many victims navigate trauma without counselling, crisis intervention, or mental-health assistance. Secondary victimization that is trauma inflicted by the response of institutions rather than the crime itself is widespread. Victims often face dismissive attitudes from police, delays in investigation, or insensitive

---

<sup>51</sup> Ministry of Justice Finland, *Crime Victim Compensation System in Finland* (Government of Finland, 2021)

<sup>52</sup> *Black’s Law Dictionary* (11th edn, Thomson Reuters 2019) ‘compensation’; see also A. Smith, *Criminal Law* (Oxford University Press 2021) 12-14 (distinguishing civil and criminal remedies)

<sup>53</sup> Administration of Criminal Justice Act 2015 (ACJA), ss 314, 319, 328

<sup>54</sup> *R v Khan* [1991] 1 SCR 501 (restitution as prevention of unjust enrichment); see also F. Shapland, *Restitution and Compensation: The Victim’s Perspective* (Home Office Research Study 108, 1985)

<sup>55</sup> W. V. H. Rogers, *Winfield & Jolowicz on Tort* (19th edn, Sweet & Maxwell 2019) 5-7

<sup>56</sup> Glanville Williams, *Textbook of Criminal Law* (2nd edn, Stevens 1983) 1–5; see also *Aoko v Fagbemi* (1961) 1 All NLR 400 (purpose of criminal sanctions)

<sup>57</sup> ACJA 2015 ss 314, 319, 328; see E. Okonkwo and M. Naish, *Criminal Law in Nigeria* (2nd edn, Spectrum Books 2010) 42-44 (noting the discretionary and under-utilised nature of compensation orders)

<sup>58</sup> World Health Organization, *Responding to Violence and Trauma: A Guide to Mental Health Interventions* (WHO 2013) 8-14; see also UNODC, *Handbook on Justice for Victims* (United Nations 1999) 23-31

<sup>59</sup> UNODC, *Handbook on Justice for Victims* (n 1) 45–52; Chinedu Okafor, ‘Victim Compensation and Criminal Justice in Nigeria’ (2018) 12 *African Journal of Criminology* 77, 80

<sup>60</sup> World Health Organization, *Responding to Violence and Trauma: A Guide to Mental Health Interventions* (WHO 2013)

questioning, which reinforces feelings of humiliation, vulnerability, and helplessness.<sup>61</sup> These experiences undermine victims' trust in the justice system and intensify emotional suffering.

*Social Trauma and Stigmatisation:* Social repercussions can be severe, especially in cases of sexual, domestic, or gender-based violence. Cultural norms in many communities stigmatise victims, placing blame upon them or treating them as dishonoured.<sup>62</sup> Such stigma isolates victims from family and community support networks, further compounding the trauma experienced.

*Economic Trauma:* Many victims endure substantial economic hardship as a result of crime. Medical expenses, loss of employment, property damage, or stolen assets create financial strain. Because Nigeria lacks a functional state-funded victim compensation scheme, victims must bear these losses without institutional relief.<sup>63</sup> In contrast, Finland provides state compensation for victims of violent crimes, easing their economic burden and aiding recovery.<sup>64</sup>

*Trauma from Court Processes and Lack of Participation:* The adversarial nature of the Nigerian criminal justice system frequently exposes victims to re-traumatisation during trial. They may be subjected to aggressive cross-examination, public scrutiny, or repeated adjournments. The lack of a victim-centred approach deprives them of a sense of dignity and agency. The UNODC emphasises that participation and respectful treatment are essential to victims' emotional recovery, yet these principles are largely absent in Nigerian practice.<sup>65</sup> Victims have limited procedural rights: they cannot influence prosecution decisions, sentencing outcomes, or plea bargains, and are rarely informed of the progress of their case. Feelings of exclusion and powerlessness intensify trauma and discourage cooperation with authorities.

*Comparative Insight: Finland's Trauma-Informed Model:* Finland adopts a trauma-informed justice framework that prioritises victim welfare, early intervention, and multi-agency support. Victim Support Finland (RIKU) provides free legal, psychological, and social assistance, helping victims process trauma and navigate the justice system.<sup>66</sup> Finnish courts also facilitate sensitive testimony procedures to minimise re-traumatisation. These practices offer valuable lessons for Nigeria, where such structures remain underdeveloped.

## 8. The Challenges of Criminal Justice Administration Relating to Victims of Crime

The administration of criminal justice in Nigeria presents numerous structural and procedural challenges that adversely affect victims of crime. While the legal system prioritises the rights of the accused particularly the constitutional guarantees of fair hearing and presumption of innocence victims' interests remain largely peripheral.<sup>67</sup> This imbalance contributes to marginalisation, inadequate protection, and prolonged trauma for victims.<sup>68</sup> The challenges are:

*Limited Legal Standing and Minimal Participatory Rights:* One of the most significant challenges victims face is their limited participatory role in criminal proceedings. Under Nigerian law, the State assumes the status of the principal complainant, while the victim is relegated to a nominal role, primarily as a prosecution witness.<sup>69</sup> Victims have no statutory right to influence prosecutorial decisions, plea bargains, or sentencing outcomes, even where they have suffered substantial harm. The UNODC emphasises that meaningful participation is essential for ensuring justice and healing, but this remains largely absent from the Nigerian system.<sup>70</sup> In the Supreme Court case of *Lucky v State*,<sup>71</sup> the Apex Court held that,

In cases of an under-aged prosecutrix, e.g. a charge under Section 218 (Defilement of girls under thirteen years) corroboration is required whether any particular evidence can be corroboration is for the Judge to decide and also to decide the weight to be attached to it... Corroboration in this case means evidence that supports the evidence of the prosecutrix.

<sup>61</sup> UNODC, *Handbook on Justice for Victims* (United Nations 1999) 45–52

<sup>62</sup> Human Rights Watch, *'They Politicize Rape': Sexual Violence in Nigeria* (HRW 2020)

<sup>63</sup> Chinedu Okafor, 'Victim Compensation and Criminal Justice in Nigeria' (2018) 12 *African Journal of Criminology* 77

<sup>64</sup> Ministry of Justice Finland, *Crime Victim Compensation System in Finland* (Government of Finland, 2021)

<sup>65</sup> UNODC, *Handbook on Justice for Victims* (United Nations 1999) 30-35

<sup>66</sup> Victim Support Finland (RIKU), 'Services for Crime Victims' <<https://www.riku.fi/en>> accessed 5 December 2025

<sup>67</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended), s 36(1), (5); UNODC, *Handbook on Justice for Victims* (United Nations 1999) 20-23

<sup>68</sup> World Health Organization, *Responding to Violence and Trauma: A Guide to Mental Health Interventions* (WHO 2013) 8-14; Chinedu Okafor, 'Victim Compensation and Criminal Justice in Nigeria' (2018) 12 *African Journal of Criminology* 77, 80

<sup>69</sup> Constitution of the Federal Republic of Nigeria 1999 (as amended), s 211; see also ACJA 2015, which maintains limited victim participation

<sup>70</sup> UNODC, *Handbook on Justice for Victims* (United Nations 1999) 20-31

<sup>71</sup> (2016) LPELR 40541(SC)

In the above scenario, where corroboration is unachievable, it is taken that, the Prosecution cannot place something on nothing and expect it to stand, it is bound to fall. See the case of *UAC v Macfoy*<sup>72</sup> to the effect that you cannot put something on nothing and expect it to stand. It will definitely fall. Similarly, in the case of *Ogunbayo v. The State*<sup>73</sup>, the Apex Court held that: ‘In the case of sexual character, it is eminently desirable that the evidence of the complainant should be strengthened by other evidence implicating the accused person in some material particular... The Court went further to state that:

It is true that there is nothing in law to prevent the court from convicting on the uncorroborated evidence of the Complainant but it is an established rule that the presiding judge must direct himself and the assessors in such a case on the desirability of there being corroboration of the complainant’s evidence.

It is trite law that though the Prosecution is not bound to call every available evidence to prove its case, however, the prosecution is bound to call a particular witness whose evidence is material to the resolution of a vital point in issue. See the cases of *Archibong v. State*<sup>74</sup>, *Igbo v. State*<sup>75</sup>.

In the case of *Sale v. State*<sup>76</sup>,

It is trite, that the law compels the prosecution to call a vital witness: a witness whose evidence will prove a vital point or ingredient of an offence either way. If the prosecution defaults in calling such a vital/material witness, the failure will be fatal to its case which must be proved beyond reasonable doubt.

*Secondary Victimization by Criminal Justice Institutions:* Victims frequently experience secondary victimization, that is harm inflicted not by the offender but by the institutions meant to protect them. Police responses may be dismissive, insensitive, or corrupt, discouraging victims from reporting crimes.<sup>77</sup> Lengthy delays, repeated adjournments, and hostile courtroom environments further contribute to emotional distress. Human Rights Watch reports that victims of sexual and gender-based violence in Nigeria often face stigma, insensitive questioning, and procedural barriers that worsen their trauma.<sup>78</sup>

*Inadequate Support Services and Compensation Structures:* Nigeria lacks a comprehensive, state-funded victim compensation scheme. As a result, victims bear the full burden of medical expenses, psychological treatment, loss of property, and lost income.<sup>79</sup> This contrasts sharply with Finland, which operates a functional and accessible state compensation programme for victims of violent crimes.<sup>80</sup> Furthermore, Nigeria provides minimal access to counselling, crisis intervention services, or shelters, leaving victims without the rehabilitative support essential to recovery.

*Poor Investigation and Prosecution of Cases:* Inefficiencies in law enforcement often hinder the delivery of justice. Under-resourced police units, inadequate forensic capacity, and systemic corruption reduce the likelihood of successful prosecutions.<sup>81</sup> When investigations are poorly handled, victims experience frustration and a sense of injustice, which exacerbates their trauma and discourages cooperation.

*Cultural and Social Barriers:* Deep-seated cultural norms frequently discourage victims especially women from reporting crimes such as domestic or sexual violence. Societal stigma, fear of retaliation, and pressure to settle disputes informally impede access to justice.<sup>82</sup> These cultural pressures further isolate victims and undermine the justice system’s capacity to respond effectively.

*Lack of Legislative Framework for Victim Rights:* Although Nigeria has enacted the Administration of Criminal Justice Act (ACJA) 2015, which introduced modest improvements, the legislation does not provide a

---

<sup>72</sup> (1961) 3 All ER 1169 at 1172

<sup>73</sup> (2007) LPELR-2323 (SC)

<sup>74</sup> (2004) 1 NWLR (Pt. 853) 488 Ratio 8

<sup>75</sup> (1975) 9-11 SC 129

<sup>76</sup> (2016) 3 NWLR (Pt. 1499) 392; *Itu v. State* (2016) 5 NWLR (Pt. 1506) 443; *Pius v. State* (2016) NWLR (Pt. 1517); *Smart v. State* (2016) 9 NWLR (Pt. 1518) 447; *Abokokiyaroro v. State* (2016) 9 NWLR (Pt. 1518) 520; *Ayeni v. State* (2016) 12 NWLR (Pt. 1525) 51; *Nweke v. State* (2017) 15 NWLR (Pt. 1587) 120; *Egbeleye Femi v. The State* LPELR (2018) Delivered by O. F. Ogbuinya, JCA

<sup>77</sup> UNODC, *Crime and Criminal Justice Statistics* (UNODC 2015) 14

<sup>78</sup> Human Rights Watch, ‘*They Politicize Rape*’: *Sexual Violence in Nigeria* (HRW 2020) 22-25

<sup>79</sup> Chinedu Okafor, ‘Victim Compensation and Criminal Justice in Nigeria’ (2018) 12 *African Journal of Criminology* 77, 80-82

<sup>80</sup> Ministry of Justice Finland, *Crime Victim Compensation System in Finland* (Government of Finland, 2021)

<sup>81</sup> CLEEN Foundation, *Public Safety and Security in Nigeria: Police Reform and the Rule of Law* (CLEEN Foundation 2019) 53-59

<sup>82</sup> Amnesty International, *Nigeria: Rape and Sexual Violence Are Widespread and Systemic* (AI 2020) 12-15

comprehensive framework for victim rights comparable to those recognised internationally.<sup>83</sup> Essential rights such as the right to information, restitution, protection, and procedural participation remain either weakly enforced or altogether absent. This legislative gap limits victims' access to justice and reduces their confidence in the system.

*Insufficient compensation:* Victims usually do not get enough compensation for the harm done to them. Victims lack maximum support from any quarters for the social, psychological, and emotional trauma that they have been through.

*Bribery and corruption:* compromises on the part of the security agencies frustrate the efforts of victims of crimes. A situation a police officer collects money from the victims as well as from the suspects can impede justice administration because at the end of the day the victim suffers the negative effect. Corruption is endemic and has eaten deep into the fabric of our national lives.

Lack of mandatory provisions in the criminal legislations for award of damages, compensation or restitution and restoration by the courts is also a major challenge.

## 9. The State and the Offender as the Necessary Parties in Criminal Proceedings

### The United Nations Perspective

Generally, in criminal administration of justice, the State and the Defendant are the principal parties in criminal proceedings and the victim is usually not a party but merely a vital witness to the prosecution. However, the United Nations has recognized the problem created by the approach of the criminal process which recognizes only the state and the offender as the parties. The United Nations General Assembly adopted a resolution on the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.<sup>84</sup> The Declaration, grants the victims of crime a legion of rights. It also declares that informal mechanisms for the resolution of disputes, including mediation, arbitration and customary justice or indigenous practices, should be utilized where appropriate to facilitate conciliation and redress for victims in addition to court's remedy through redress. The Declaration provides for the remedies of restitution and compensation. Paragraph 8 provides that Offenders or third parties responsible for their behaviour should, where appropriate, make fair restitution to victims, their families or dependants. Such restitution should include the return of property or payment for the harm or loss suffered, reimbursement of expenses incurred as a result of the victimization, the provision of services and the restoration of rights. The whole of this is to allow crime victims to participate effectively in the handling and deciding of their cases to give them a sense of belonging in their own matters.

## 10. Comparison Between Nigeria and Finland's Treatment of Victims of Crime

Nigeria's treatment of victims of crime is marked by systemic inadequacies, weak institutional support, and minimal legal recognition of victims' rights. Victims often encounter indifference from law enforcement, limited access to justice, and an absence of structured rehabilitation or compensation mechanisms.<sup>85</sup> Conversely, Finland adopts a humane, structured, and victim-centred approach that offers several valuable lessons for Nigeria.

*Restorative Justice:* Finland strongly emphasises restorative justice, prioritising dialogue, accountability, and harm-repair through structured mediation programmes.<sup>86</sup> These processes empower victims by allowing them to express their needs and participate actively in achieving resolution. Nigeria's criminal justice system remains predominantly retributive, offering limited opportunities for restorative engagement.<sup>87</sup>

*Comprehensive Support Services:* Finland provides extensive support services including free legal aid, psychological counselling, social welfare support, and crisis intervention.<sup>88</sup> Victim Support Finland (RIKU) ensures that victims receive tailored assistance throughout the justice process. Nigeria lacks comparable state-funded structures, resulting in victims managing trauma with little or no institutional support.<sup>89</sup>

*Victim Advocacy Mechanisms:* Victim advocacy is a well-established component of Finland's justice system. Trained professionals guide victims through legal procedures, represent their interests, and ensure their voices are heard.<sup>90</sup> In Nigeria, advocacy is largely fragmented and reliant on under-resourced NGOs.

---

<sup>83</sup> Administration of Criminal Justice Act 2015 (Nigeria), ss 1-2

<sup>84</sup> UN General Assembly, Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, GA Res 40/34, UN GAOR, 40th Sess, Supp No 53, UN Doc A/RES/40/34 (29 November 1985)

<sup>85</sup> UNODC, *Handbook on Justice for Victims* (United Nations 1999) 23-31

<sup>86</sup> Ministry of Justice Finland, *Restorative Justice in Finland* (Government of Finland 2020)

<sup>87</sup> Chinedu Okafor, 'Victim Compensation and Criminal Justice in Nigeria' (2018) 12 *African Journal of Criminology* 77

<sup>88</sup> Victim Support Finland (RIKU), 'Services for Crime Victims' <<https://www.riku.fi/en>> accessed 5 December 2025

<sup>89</sup> CLEEN Foundation, *Public Safety and Security in Nigeria: Police Reform and the Rule of Law* (CLEEN Foundation 2019) 53-59

<sup>90</sup> Victim Support Finland (RIKU), 'Services for Crime Victims' <<https://www.riku.fi/en>> accessed 5 December 2025

*Education and Trauma-Informed Training:* Finland invests heavily in training police, judges, prosecutors, and social workers in victimology and trauma-informed practice.<sup>91</sup> This enhances sensitivity in victim handling and reduces secondary victimisation. Nigerian justice personnel typically lack specialised training, leading to frequent insensitivity and re-traumatisation.<sup>92</sup>

*Strength of Legislative Frameworks:* Finland's legislative framework including the EU Victims' Rights Directive, creates enforceable rights to information, participation, protection, and compensation.<sup>93</sup> Nigeria's legislative efforts, such as the ACJA 2015, recognise victims' interests but fall short of establishing comprehensive rights or compensation mechanisms.<sup>94</sup>

*Community Involvement:* Finland integrates civil society organisations, community bodies, and welfare institutions in victim support and rehabilitation, adopting a holistic societal approach.<sup>95</sup> Nigeria's community involvement remains informal, unstructured, and often influenced by cultural bias or stigma.

*Preventive and Early Intervention Measures:* Finland prioritises social welfare programmes, mental health interventions, and community-based prevention strategies to reduce victimisation.<sup>96</sup> Nigeria's preventive measures are limited, with crime prevention largely focused on policing rather than addressing social root causes.

## **11. Similarities between Finland and Nigeria in the Administration of Criminal Justice Relating to Victims**

Although Finland and Nigeria differ significantly in terms of resources and institutional capacity, both countries share several structural and legal similarities in their administration of criminal justice as it relates to victims of crime.

*Existence of a Formal, Hierarchical Court Structure:* Both Finland and Nigeria operate multi-tiered court systems designed to ensure access to justice and appellate review. Nigeria's court hierarchy includes Magistrate Courts, High Courts, the Court of Appeal, and the Supreme Court.<sup>97</sup> Finland has a comparable system consisting of District Courts, Courts of Appeal, and the Supreme Court.<sup>98</sup> This structural similarity ensures that victims have multiple avenues for redress, including the possibility of appealing lower-court decisions.

*Central Role of the Ministry of Justice in Overseeing Legal Administration:* In both jurisdictions, the Ministry of Justice plays a central role in the development and administration of the justice system. Nigeria's Ministry of Justice oversees public prosecution and contributes to policy and reform within the justice sector.<sup>99</sup> Finland's Ministry of Justice similarly supervises legislative development, coordinates court administration, and promotes access to justice.<sup>100</sup> Thus, each country incorporates a centralised administrative authority responsible for justice sector coordination, including victim-related reforms.

*Statutory Regulation of Criminal Procedure and Victims' Rights:* Both countries regulate criminal procedure and victims' rights through codified legislation. Nigeria's Administration of Criminal Justice Act 2015 introduces procedural safeguards that affect victims and witnesses.<sup>101</sup> Finland provides comparable statutory protection through the Criminal Investigation Act, which governs investigative processes,<sup>102</sup> and the Act on the Status and Rights of Victims of Crime.<sup>103</sup> Although implementation differs in practice, both systems rely on legislation to define victims' rights, investigative obligations, and procedural guarantees.

*Recognition and Regulation of the Legal Profession:* Both Finland and Nigeria maintain regulated legal professions to support the functioning of the justice system. In Nigeria, the legal profession is governed by the Legal Practitioners Act and regulated by the Nigerian Bar Association.<sup>104</sup> Finland's legal practice is likewise regulated by the Finnish Bar Association, which oversees ethical standards and lawyer accreditation.<sup>105</sup> In both countries, victims of crime have access to trained legal professionals for representation and support.

*Opportunities for Victims to Participate in Criminal Processes:* Both Nigeria and Finland provide legal pathways for victims to participate in criminal proceedings. Victims may file complaints, provide testimony, apply for compensation, and depending on the jurisdiction, seek review or appeal of decisions affecting their rights.

<sup>91</sup> Ministry of Social Affairs and Health (Finland), *Training Manual on Victim-Centred Approaches* (2019)

<sup>92</sup> Amnesty International, *Nigeria: Rape and Sexual Violence Are Widespread and Systemic* (AI 2020) 12-15

<sup>93</sup> Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime [2012] OJ L315/57

<sup>94</sup> Administration of Criminal Justice Act 2015, s 1(c), s 319

<sup>95</sup> European Union Agency for Fundamental Rights, *Victims of Crime in the EU: Support and Protection* (FRA 2014) 45-52

<sup>96</sup> Ministry of Justice Finland, *Crime Prevention and Welfare Policies* (2018)

<sup>97</sup> Constitution of the Federal Republic of Nigeria 1999 (As Amended); Administration of Criminal Justice Act 2015

<sup>98</sup> Ministry of Justice Finland, 'Judicial System' <<https://oikeusministerio.fi/en>> accessed 5 December 2025

<sup>99</sup> Federal Ministry of Justice, 'Mandate and Structure' <<https://justice.gov.ng>> accessed 5 December 2025

<sup>100</sup> Ministry of Justice Finland, 'Judicial System' <<https://oikeusministerio.fi/en>> accessed 5 December 2025

<sup>101</sup> Administration of Criminal Justice Act 2015

<sup>102</sup> Criminal Investigation Act (805/2011) (Finland)

<sup>103</sup> Act on the Status and Rights of Victims of Crime (1128/2015) (Finland)

<sup>104</sup> Legal Practitioners Act (Cap L11 LFN 2004)

<sup>105</sup> Finnish Bar Association, 'About the Bar' <<https://www.asianajajaliitto.fi/en>> accessed 5 December 2025

Nigeria's procedural rights are anchored in the ACJA,<sup>106</sup> while Finland's system is grounded in the Criminal Code and victim-specific legislation.<sup>107</sup> Thus, both systems recognise the victim as a participant in the criminal justice process, even if the degree of support varies widely.

## 12. Conclusion and Recommendations

The Nigeria criminal administration of justice system has come a long way over time but a lot still needs to be done to attain the global best international practices and this calls for all stakeholders in the criminal justice sector to gravitate towards the world best standard practices as obtainable in Finland. This is something that the Nigerian government at all levels must do as a matter of necessity to bring about a more humane system of criminal justice administration where every victim is tremendously supported to heal and to be restored back as much as possible. Nigeria is enjoined to follow Finland by integrating the viable lessons enumerated in the course of this study to enhance its legal system of administration of criminal justice to cater for the victims of crimes within its society. Nigeria and other countries alike in African can enhance their supports for victims of crimes, promote healing and foster more humane legal systems. By integrating these lessons, Nigeria can enhance her support for victims of crimes, promote healing and foster a more humane legal system as obtainable right now in Finland. In light of persistent gaps in Nigeria's victim-protection framework particularly when compared with jurisdictions such as Finland, there is a compelling need for comprehensive reform. The following recommendations propose structural, legislative, and institutional changes capable of improving the administration of criminal justice as it relates to victims of crime.

*Establishment of Comprehensive State-Led Victim Compensation Programmes:* Nigeria should introduce robust, state-funded victim compensation programmes, administered through a clearly defined statutory framework. A National Victim Compensation Fund should be created to ensure rapid, equitable, and needs-based financial assistance for victims of violent and non-violent crimes. Such a scheme would align Nigeria with international best practices, enhance public confidence in the justice system, and address long-standing inequalities in access to post-crime support. To ensure accountability and transparency, compensation should be processed through an autonomous body with statutory powers, budgetary independence, and monitoring responsibilities.

*Strengthening Victim Support Systems (Counselling, Protection, and Rehabilitation):* Victim support in Nigeria remains fragmented and under-resourced. A multi-disciplinary victim support framework is needed, involving psychological counselling, legal assistance, emergency shelter, medical support, and long-term rehabilitation services. These services should be embedded within the criminal justice process and coordinated between the Ministry of Justice, civil society organisations, and specialised victim service units. Such a coordinated approach would mirror Finland's integrated victim support model and ensure victims receive holistic support from the point of reporting through the post-trial phase.

*Enhancing Restorative Justice Approaches:* There is significant value in expanding restorative justice mechanisms, including victim-offender mediation, community conferencing, and restitution agreements. These processes allow victims to be heard, promote offender accountability, and address underlying social or economic factors that contribute to criminal behaviour. Restorative justice could be integrated into the ACJA and applied where appropriate, particularly in juvenile cases, minor offences, and community-based conflicts, while maintaining safeguards to prevent coercion and re-victimisation.

*Improving Access to Justice and Victim Participation:* Victims must be guaranteed full and meaningful participation throughout the criminal justice process. This requires: simplifying procedures for reporting crimes; ensuring victims receive timely updates on case progress; providing legal representation for vulnerable victims; and improving court infrastructure to accommodate victim-friendly measures such as remote testimony and closed sessions. Increasing accessibility empowers victims, enhances procedural fairness, and strengthens trust in justice institutions.

*Reforming the Administration of Criminal Justice Act 2015:* The ACJA should be amended by the legislators to include mandatory judicial provisions requiring courts to consider victims' rights to compensation, restitution, damages, and cost recovery. Although the ACJA references compensation, its application in practice is inconsistent due to the discretionary nature of existing provisions. Mandatory compensation guidelines, modelled after comparable jurisdictions, would ensure that victims receive legally enforceable remedies and elevate the role of victims in sentencing and post-trial processes.

---

<sup>106</sup> Administration of Criminal Justice Act 2015

<sup>107</sup> Criminal Code of Finland (39/1889); Act on the Status and Rights of Victims of Crime (1128/2015) (Finland)

*Strict Implementation of the Witness Protection and Management Act 2022:* The Witness Protection and Management Act 2022 provides an important framework for safeguarding victims and witnesses, particularly in cases involving terrorism, economic crime, trafficking, and organised crime. However, the effectiveness of the legislation depends largely on its implementation. A dedicated Witness Protection Agency should be empowered and adequately funded by the government to ensure safe relocation, anonymity, security escorts, and psychological support. Robust implementation will reduce fear of retaliation and encourage victims to cooperate with law enforcement.

*Amendments to the National Victim Compensation Act:* The National Assembly should introduce specific statutory provisions dedicated exclusively to victim compensation, including eligibility criteria, application procedures, emergency support mechanisms, and appeal rights. The inadequate compensation responses following the EndSARS protests in 2020, which necessitated the creation of Judicial Panels of Inquiry across Nigerian states, highlight systemic gaps. A revised Act would provide a uniform, reliable federal structure for addressing compensation, thereby reducing reliance on ad hoc committees and political discretion.

*Establishment of a National Compensation Authority:* To ensure the effective administration of victim compensation, Nigeria should establish a National Compensation Authority responsible for: managing the national compensation fund; processing applications and disbursing payments; conducting needs assessments; monitoring compliance with compensation legislation; and publishing annual transparency reports. This authority would institutionalise compensation as a fundamental component of criminal justice rather than a discretionary or reactive measure.

*Amendment to the Police Act to Address Property Used in the Commission of an Offence:* The Police Act should be amended to include provisions requiring the restoration of property used in the commission of crime to its rightful owner, except in circumstances where such property is required for evidentiary purposes or is subject to lawful forfeiture. This reform would strengthen victims' proprietary rights, reduce economic hardship, and ensure clear procedures for the release, preservation, and return of seized property.