



**LADI MEMORIAL FOUNDATION CAC No: 123865
CHATEKO VOCATIONAL INSTITUTE**

...raising generations of creative, skillful, impactful, talented, innovative and productive people...

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Our Ref: LMF/NASS/20/002

February 17, 2020

The Chairman

Senate Committee on Judiciary, Human Rights & Legal Matters

The Senate

National Assembly Complex, Abuja

**MEMORANDUM ON A BILL FOR AN ACT TO PREVENT, PROHIBIT AND REDRESS
SEXUAL HARRASSMENT OF STUDENTS IN TERTIARY EDUCATIONAL INSITUTIONS AND
FOR MATTERS CONNECTED THEREWITH, 2019**

1. We write to salute the sponsor and all Co-Sponsors of the proposed bill for the courage to address an issue of great concern in the Nigerian society and the commitment demonstrated by the ninth Senate in pushing the proposed bill to the Public hearing stage.

2. OBSERVATIONS BY LADI MEMORIAL FOUNDATION (LMF)

- a. LMF has worked extensively in rural communities in North Central Nigeria, in particular, the FCT, Kogi, Kaduna and Plateau States, and provide various community support interventions which includes vocational skills training in both formal and informal settings, advocacy and sensitization etc and have provided support to victims of sexual harassment in secondary schools which contributes to high rate of teenage pregnancies and out of school young adults in the communities.

- b. LMF wish to observe that while clause 1 limits the scope of the proposed bill to a segment of the education sector, Clause 2 and 3 definition of relationship of authority, dependency and trust applies to the entire education sector. According to the National Policy on Education (2014) the Nigerian Education system is structured into: early childcare and development aged 0-4 years; Basic Education aged 5-15 years, which encompasses pre-primary 1 years, 6 years of primary education and 3 years of Junior Secondary education; Post Basic Education of 3 years in Senior Secondary School and Technical Colleges; and Tertiary Education provided in Colleges of Education, Monotechnics, Polytechnics, Universities and specialized health institutions etc. others of interest are open and distance Education and special needs education. The sector of interest of the proposed Bill is the education sector. Sexual harassment permeates the entire sector at present.
- c. From Developmental psychology point of view, physiological changes which characterize maturity at adolescence stage commence in children and young adults from the ages of 8-13 years and children/ young adults are vulnerable emotionally at these ages which clause 2 of the proposed bill emphasizes. LMF observed that protecting the alpha-generation (8-13 years) and the x-generation (13 and above) are thus of urgent and uttermost importance which the proposed bill call achieve.
- d. On Clause 8, Commencement of Criminal Proceedings, victims of sexual harassment are required to write petitions. LMF Observes that for minors in Basic and secondary education, this provision may not be feasible. The role of Guidance Counselors is thus necessitated. The reported case of repeated abuse of a minor in Benue State by University Staff and His son which led to her death is a sad example to note. The minor did not report the matter but observing and concerned neighbors reported on her behalf howbeit too late.
- e. LMF Observes that Clause 16, Independent Sexual Harassment Prohibition Committee was silent on the specific members of the committee.

3. **Recommendations/ contributions.** In view of the observations made in (2) above, LMF wish to recommend that the Committee consider the following:

- a. That since the sector of focus is the Education sector and the relationship of authority, Dependency and Trust defined in Clause 2 relates to all institutions in the sector, and the current realities of sexual harassment in other subsectors in the educational sector- adolescence in formal Basic and Secondary schools and informal Vocational skills centers etc, the scope of the Proposed Bill should be reviewed to cover “Educational Institutions” broadly and not “tertiary Institutions” as narrowly specified.
- b. Clause 8 on Commencement of Criminal Proceedings should be reviewed to include third parties acting on behalf of minors i.e. Guidance Counselors, Guardians, Parents etc.
- c. Clause 16, on Independent Sexual Harassment Prohibition Committee should clearly specify Guidance Counselors as members of the Committees at Institutional levels and the State Ministries of Education and State Ministries of Women Affairs and Social Development should also be represent at the Committees

Please be assured of our esteemed regards

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