

**LFIN 10<sup>TH</sup> ANNIVERSARY NATIONAL ESSAY COMPETITION**

**TOPIC: THE VIOLENCE AGAINST PERSONS (PROHIBITION) ACT (VAPP):  
LEGAL PROVISIONS, STATE LEVEL ADOPTION, AND THE EFFECTIVENESS  
OF NIGERIA'S RESPONSE TO GENDER-BASED VIOLENCE.**

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## **ABSTRACT**

Gender-based violence refers to acts of violence directed at individuals specifically because of their gender. In response to the growing number of GBV occurrences and in line with international obligations, the Nigerian government enacted the Violence Against Persons (Prohibition) Act in 2015. This legislation serves as the fundamental legal foundation for addressing the various forms of violence present in Nigeria today. This work outlines the background of the concept while thoroughly examining the legal structure of the VAPP, the adoption by states, and the effectiveness of the nation's response to GBV, pinpointing deficiencies and offering recommendations for improved implementation of the Act.

***Keywords: Gender based violence, state adoption, effectiveness of Nigeria's response, Violence Against Persons( Prohibition) Act.***

## 1.0 INTRODUCTION

The term violence is not unfamiliar in Nigeria as it operates more as an action than a specific term. From the home environment where domestic violence reigns supreme to the school where assault and battery is common amongst students, into the broader society where violence appears as a spontaneous reaction to every form of provocation or a blatant manifestation of the existing inequality in Nigeria today. Even the formal sectors populated with educated individuals are not exempt from this menace as they often resort to subtle types of violence to achieve their goals.

Prior to the enactment of Violence against Persons (Prohibition) Act (VAPP) hereinafter referred as to the Act, the presence of older legislations failed to recognize the critical dangers posed by this menace known as violence against persons. In fact, in certain cases, it contributed significantly to the rampant display of violence against one another. For instance, the Penal Code condones the battering of one's wife to instil discipline in her and give correction.<sup>1</sup> The case of *Akinbuwa v Akinbuwa*<sup>2</sup> held that minor assault for corrective purposes by a woman's husband is tolerable. While no law expressly legitimizes the violence of men, it is very pertinent to state that men too experience violence inflicted by their colleagues, spouses and employers at work.

Unusually, this essay seeks to create a fair perspective on violence against men and women without tilting into the usual tale of which the media is saturated with. With the use of statistics and seasoned articles authored by astute writers, the author will thoroughly examine the provisions of the act, state level adoption and of course, the effectiveness of our response to the provisions of this Act while reinforcing this analysis with brilliant

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<sup>1</sup> Section 55, Penal code 1960.

<sup>2</sup> *Akinbuwa v Akinbuwa* [1998] CLR 7(b) (CA).

recommendations and suggestions, considering relevant International Conventions. This work is divided into 5 segments.

## **2.0 NIGERIA AND GENDER BASED VIOLENCE: AN INSIGHT INTO THE LEGAL FRAMEWORK OF VAPP.**

### **AN OVERVIEW OF THE CONCEPT:**

The phrase ‘Gender Based Violence’ (GBV) is a neutral term coined to address violence targeted specifically at persons because of their gender. Biologically, there are two recognized genders which are the male and female<sup>3</sup> and would be used interchangeably in this analysis as man and woman. Despite the targeted neutrality of the Act, most of the provisions predominantly focus on acts of violence against women, probably because the woman suffers violence from birth to death.<sup>4</sup> Nevertheless, as stated earlier, the author would attempt to address the essay from the viewpoint of both the male and female.

According to the United Nations Declaration on the Elimination of Violence against Women (UNDEVAW), Gender based violence can be defined as any act of violence that results in or is likely to result in physical, sexual or psychological harm or suffering to persons including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or private life.<sup>5</sup>

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<sup>3</sup> This is axiomatic.

<sup>4</sup> Mrs Mabel Izzu, Mrs Ophelia Umunna ‘Legal Response to Gender based violence in Nigeria’ (2020) ISSN: 2360-8986 [https://drive.google.com/drive/folders/1IRmP-QXauEjUbN9hIGlyTRSl8Ar1jUho60-8986\\_8\(3\):12-27](https://drive.google.com/drive/folders/1IRmP-QXauEjUbN9hIGlyTRSl8Ar1jUho60-8986_8(3):12-27) *International Journal of Business and Law Research* accessed on 26<sup>th</sup> August 2025.

<sup>5</sup> United Nations General Assembly Declaration on the Elimination of Violence against Women G.A Res.48/104(1), UN.DOC.A/RES/48/104(Dec.20,1993)

Although the history behind GBV is unascertainable, it is worthy of note that this menace exists in Nigeria because of the existing inequality in the distribution of power and other benefits including physical strength which leaves women particularly susceptible to this menace than the other gender. Economic disparities arising from modern realities are another contributing factor to GBV. Additionally, harmful traditional practices, religion and the rising levels of poverty in Nigeria further fuel gender-based violence.<sup>6</sup>

Generally, the forms of GBV are numerous and captured succinctly by the VAPP Act. According to United Nations High Commissioner for Refugees (UNHCR), these forms of GBV includes: Physical abuse, sexual abuse, psychological abuse, Socio-economic violence, harmful traditional practices and domestic violence amongst others.<sup>7</sup>

Engaging in discussions about GBV is essential as it continuously undermines human dignity and poses as a threat to an individual's physical and mental well-being. Moreover, it promotes discrimination and poses a significant challenge to achieving gender equality.

In Nigeria, GBV is a real issue that numerous studies and research effort confirm in full force. A research published by Spotlight Initiative in partnership with the European Union and United Nations Children's Emergency Fund (UNICEF) showed that there was an

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<sup>6</sup>Cecy Edijala Balogun 'Government Responses to Sexual and Gender Based Violence in Nigeria: Gaps and Expectations' (2021) Volume 5, Number 1 International Journal of Advanced Research in Public Policy, Administration and Development Strategies <  
[https://scholar.google.com/scholar?hl=en&as\\_sdt=0%2C5&q=Government+responses+to+sexual+and+gender+based+violence+&btnG=#d=gs\\_qabs&t=1756768049781&u=%23p%3DEEitNpNejDAJ](https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=Government+responses+to+sexual+and+gender+based+violence+&btnG=#d=gs_qabs&t=1756768049781&u=%23p%3DEEitNpNejDAJ) > accessed on 28<sup>th</sup> August 2025.

<sup>7</sup> Cheluchi Onyemelukwe 'Legislating on violence against women: A critical analysis of Nigeria; Recent violence against persons (Prohibition) Act 2015' (2016) Vol 5 Issue 2 De Paul Journal of Women, Gender and the Law <  
<https://drive.google.com/drive/folders/1IRmP-QXauEjUbN9hIGlyTRSI8Ar1jUho>> accessed on 29<sup>th</sup> August 2025.

increase in the incidence of violence against women during the COVID 19 Pandemic as about 149% increase in rape and domestic abuse was discovered.<sup>8</sup>

Additionally, United Nation Population Fund (UNFPA) in her 2021 report provided estimates of the prevalence of violence against women in Nigeria in each geo-political zones. According to this report, the North West has the lowest GBV incidence at 12% while the geopolitical zone with the highest percentage of prevalence of GBV was the South-south with 46%.<sup>9</sup> On the other hand, the Domestic and Sexual Violence Agency of the Lagos State Government reported that 1108 males have allegedly experienced domestic violence over a span of six years.<sup>10</sup> Notwithstanding this report, the Purple Lifeline Connection reported that over 25% of men have experienced violence from their spouses.<sup>11</sup>

## **2.1AN INSIGHT INTO THE LEGAL FRAMEWORK OF VAPP.**

Before examining the core of this section, it is important to mention that the VAPP Act was enacted in Nigeria on May 28, 2015, by the erstwhile President of Nigeria, Goodluck Ebele Jonathan.<sup>12</sup> Notably, this act was established in response to the urgent need to curb the widespread violence against persons, especially women. The primary goal of this Act, as stated in its explanatory memorandum, is to prohibit all forms of violence against persons in private and public life and to provide maximum protection and punishment for the

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<sup>8</sup> Spotlight Initiative '16 Facts about Violence against Women and Girls in Nigeria' <https://www.unicef.org/nigeria/reports/16-facts-about-violence-against-women-and-girls-nigeria> accessed on 26<sup>th</sup> August 2025.

<sup>9</sup> UNFPA, Adolescent Pregnancy 'End all forms of Gender Based Violence and Harmful Practices against Women and Girls in Nigeria' [https://nigeria.unfpa.org/sites/default/files/pub-pdf/unfpa\\_advocacy\\_brief\\_gbv\\_hp\\_national\\_0.pdf](https://nigeria.unfpa.org/sites/default/files/pub-pdf/unfpa_advocacy_brief_gbv_hp_national_0.pdf) accessed on 25<sup>th</sup> August 2025.

<sup>10</sup> Omowumi Bukola Olaseinde, Olanike Justinah Olusola and Bolanle Morenike Adeoluwa, 'Media Advocacy for balancing gender reports on Domestic Violence against men in South-west, Nigeria' (2025) Volume 10, Issue 1, No.4, pp 59-73 <https://drive.google.com/file/d/1n4xc7JcfehWejKbM0kzbnFHmziAvbQtg/view?usp=drivesdk> accessed on 26<sup>th</sup> August 2025.

<sup>11</sup> ibid

<sup>12</sup> Violence Against Persons Prohibition Act < [https://en.wikipedia.org/wiki/Violence\\_Against\\_Persons\\_\(Prohibition\)\\_Act\\_2015](https://en.wikipedia.org/wiki/Violence_Against_Persons_(Prohibition)_Act_2015)>

victims and perpetrators, respectively.<sup>13</sup> The Act contains 48 sections, most of which concentrates on the various types of violence against persons. To thoroughly and clearly summarize the legal framework of the Act, the author has categorized the Act into the various forms of GBV, as previously mentioned, while referencing applicable sections and illustrations.

The Interpretation Section of the act, *Section 46*, defines Violence as any act or attempted act perpetrated by a member of the family, relative, neighbour, or member of a community which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm.

#### A. **SEXUAL VIOLENCE**

According to the UNCHR, sexual violence is a term encompassing all non-consensual sexual acts with another person, who is usually the victim. This includes sexual exploitation, marital rape, abusive sexual contact, i.e., unwanted touching, rape and pressured sex regardless of the victim's relationship with the perpetrator.<sup>14</sup> The Rape Crises Society of England and Wales breaks down sexual violence into rape, sexual assault, sexual abuse, indecent exposure, and sexual exploitation.<sup>15</sup> From the above definitions, it is evident that sexual violence takes place not only in homes and lonely paths but also in public spaces, such as instances of indecent exposure, which the Act criminalizes, as well as in workplaces and places of worship.

The Act addresses this form of violence by criminalising acts like Rape, indecent exposure, and offensive conduct, which is simply the cohesion of another by force or threat into sexual activity and incest. The legal framework of VAPP is notably inclusive as it

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<sup>13</sup> Preamble of the Violence against Persons (Prohibition) Act, 2015.

<sup>14</sup> UNHCR 'Sexual and gender based violence' < <https://help.unhcr.org/turkiye/social-economic-and-civil-matters/sexual-and-gender-based-violence/>> accessed 26<sup>th</sup> August 2025.

<sup>15</sup> Rape Crises, England and Wales 'Types of Sexual Violence' <https://rapecrisis.org.uk/get-informed/types-of-sexual-violence/> accessed 26 August 2025.

addresses sexual offences that affect both males and females. In this respect, it is important to highlight that the Act broadens the definition of rape as given in the criminal code. While the criminal code designates rape victim hood to women,<sup>16</sup> the Act acknowledges the possibility of a male rape despite the assumed physical strength of a the male.

*Section 1* of the Act provides thus: *A person commits the offence of rape if- he or she intentionally penetrates the vagina, anus or mouth of another person with any other part of his body or anything else.* It further provides that this act must be done without consent and if consent was obtained, it must have been gotten through the use of threat of force or intimidation of any kind or by fear of harm or through any fraudulent means. Additionally, *Section 26* of the Act provides for the offence of offensive conduct which is the cohesion of another into sexual activity.

Furthermore, the Act criminalises subtle unwanted sexual advances like indecent exposure, common amongst women. Pursuant to *Section 26*, indecent exposure is the intentional exposure of one's genital organ entirely or substantially, causing distress to another person or entices the other to commit an offence under the Act. The Act has successfully filled the void left by older enactments that recognizes only women being the victims of sexual violence. Impressively, the Act under *Section 1(4)* makes it mandatory that a register for all sexual offenders be kept.

## **B. PHYSICAL VIOLENCE.**

According to UNHCR, Physical violence is an act attempting to or resulting in pain and/or physical injury. It includes beating, burning, kicking, punching, biting, maiming, the use of objects or weapons, or tearing out hair.<sup>17</sup> At its most extreme, physical violence may lead

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<sup>16</sup> Section 357, Criminal Code 2004.

<sup>17</sup> Cecy Edijala Balogun 'Government Responses to Sexual and Gender Based Violence in Nigeria: Gaps and Expectations' (2021) Volume 5, Number 1 International Journal of Advanced Research in Public Policy, Administration and Development

to femicide, or the gender-based killing of a woman. It can also be viewed as the use of physical force that results in injury or places the victim at risk of injury.<sup>18</sup>

The Act addresses this form of violence by making provisions for specified offences like: Inflicting physical injury on a person with any weapon, substance or object, wilfully placing a person in fear of physical injury or aiding someone else to do so and spousal battery, provided in *Sections 2, 4 and 19* respectively. These sections provide severe punishments ranging from various long imprisonment terms to monetary fines, aimed at deterring persons from indulging in such acts.

### **C. HARMFUL PRACTICES**

The National FGM Centre, UK, defined harmful practices as persistent practices and behaviours that are grounded on discrimination on the basis of sex, gender, age, or other grounds as well as multiple and/or intersecting forms of discrimination that often involve violence and cause physical and or psychological harm.<sup>19</sup> Some examples of this type of violence include forced marriage, bad widowhood practices, and female circumcision.

Notably, this type of violence is usually channelled against women due to the existence of patriarchy and reinforced traditional beliefs that have been passed down from older generations. For instance, the practice of scrapping a widow's head, making her lie bare on

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Strategies<[https://scholar.google.com/scholar?hl=en&as\\_sdt=0%2C5&q=Government+responses+to+sexual+and+gender+based+violence+&btnG=#d=gs\\_qabs&t=1756768049781&u=%23p%3DEEitNpNejDAJ](https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=Government+responses+to+sexual+and+gender+based+violence+&btnG=#d=gs_qabs&t=1756768049781&u=%23p%3DEEitNpNejDAJ)[https://scholar.google.com/scholar?hl=en&as\\_sdt=0%2C5&q=Government+responses+to+sexual+and+gender+based+violence+&btnG=#d=gs\\_qabs&t=1756768049781&u=%23p%3DEEitNpNejDAJ](https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=Government+responses+to+sexual+and+gender+based+violence+&btnG=#d=gs_qabs&t=1756768049781&u=%23p%3DEEitNpNejDAJ)> accessed on 28<sup>th</sup> August 2025.

<sup>18</sup> Ishola, S.A 'Domestic Violence: The Nigerian Experience' (2016), Asia-Africa Journal of mission and ministry, 13, 3-6 accessed on 28<sup>th</sup> August, 2025.

<sup>19</sup> National FGM Centre, 'Harmful practices' <https://nationalfgmcentre.org.uk/harmful-practices/> accessed 29<sup>th</sup> August 2025.

the ground and forcing her to drink her husband's washed body was a persistent culture in Igbo land. Additionally, the practice of female mutilation aimed at stopping promiscuity was a leading culture in Igbo land aimed against women as this was not the reason behind male circumcision.<sup>20</sup>

Thankfully, the Act addresses these issues as they're subtle reinforcement of gender inequality and violence against women. In *Section 6(1)* of the Act, female circumcision was expressly prohibited. Additionally, *sections 15 and 20* place a ban on harmful widowhood practices and other harmful traditional practices that have the tendency of constituting violence against persons.

#### **D. SOCIO-ECONOMIC VIOLENCE**

This is not a common type of violence as it is often subtle. It occurs in settings i.e. family where one party, usually the female is dependent on the other for survival, making it impossible for the victim to savage the violent circumstances. To perpetrate this kind of violence, the 'provider' usually strips the other of all financial access or overly monitors the finances of the other.<sup>21</sup> This type of violence also occurs when the provider perceives that the partner is incapable of contributing to the family's upkeep. For instance, in 2021, the Vanguard newspaper reported a story of how a woman was beaten to death simply because she could not supplement the man's provision with #2000.

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<sup>20</sup> Mrs Mabel Izzi, Mrs Ophelia Umunna 'Legal Response to Gender based violence in Nigeria' (2020) ISSN: 2360-8986 [https://drive.google.com/drive/folders/1IRmP-QXauEjUbN9hIGlyTRSl8Ar1jUho60-8986\\_8\(3\):12-27](https://drive.google.com/drive/folders/1IRmP-QXauEjUbN9hIGlyTRSl8Ar1jUho60-8986_8(3):12-27) *International Journal of Business and Law Research* accessed on 26<sup>th</sup> August 2025.

<sup>21</sup> Davies Ugowe, 'Gender based violence: Its prevalence, forms, causes and consequences' (2022) accessed 31<sup>st</sup> August 2025.

This form of violence was aptly established under the Act in *Section 12(1) to (4)* where it states thus; “*A person who causes forced financial dependence or economic abuse of another commits an offence and is liable on conviction to a term of imprisonment not exceeding one year or a fine not exceeding #200,000, or both*”. The other subsections of the above section covers the offence of abetting or aiding the aforementioned offence.

Furthermore, *Section 16* of the Act prohibits any form of abandonment of spouses, Children or other dependants without sustenance.

#### **D. DOMESTIC VIOLENCE**

In Nigeria today, especially in the South-East, in Christian spaces; the mere mention of domestic violence invokes sad feeling as Mrs Osinachi Nwachukwu, a well-known gospel singer who had endured domestic violence till her demise is remembered. Her story, though a sad one is reiterated often to encourage people in abusive homes to leave before they are called to glory untimely.

The Oxford English Dictionary defined domestic violence as a violent or aggressive behaviour within the home, typically involving the violent abuse of a spouse or partner. This type of violence is quite common in Nigeria with some retrogressive laws condoning its dominance. It can also be referred to as Intimate partner violence. It is worth stating that this kind of violence is not restricted only to physical altercations, it includes psychological, sexual and economic violence too, so far as it occurs within the family. In preceding paragraphs, recent statistics on male and female domestic violence was given.

The VAPP act is not silent on this form of violence as *Section 19*(spousal battery), *Section 1* (marital rape), *Section 4*(wilfully placing a person in fear of physical injury) and *Section 9* (Forceful ejection from the home) addresses issues revolving around domestic violence.

#### **E. PSYCHOLOGICAL AND EMOTIONAL VIOLENCE**

Just like the economic abuse, this type of violence is subtle in nature and is aimed at demeaning, intimidating and humiliating another person. It is often an accomplice to other types of violence. This type of violence could be divided into verbal and non-verbal abuse. The Act addresses an example of this form of violence in *Section 13(1)* where it prescribes punishment for the forced isolation of a person from family and friends.

### 3.0 STATE LEVEL ADOPTION

In Nigeria, to adopt a federal enactment by states, the state House of Assembly must first adopt the law and amend it to suit the current realities of the state. After this is done, the bill is released to the public to foster public participation and to receive criticisms that would aid in the final amendment of the Bill. Once the State House of Assembly is satisfied as to the extent of the amendment, the bill is forwarded to the Governor who assents it by signing it into law, allowing relevant state agencies and institutions to act upon it as binding in the state.<sup>22</sup>

To achieve a successful adoption of a bill, the concerted efforts of the governor, relevant stakeholders including members of the state House of Assembly, and the public are required. In the case of VAPP, the efforts of the first lady, NGOs, and the Ministry of justice alongside the aforementioned personalities including VAPP coordinators were instrumental to the adoption of the VAPP in most of the states.<sup>23</sup>

Following the signing of the VAPP by the former president in 2015, only three states had reportedly adopted the Act by 2018.<sup>24</sup> This may have occurred because these states failed to recognize the importance of enacting the law.

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<sup>22</sup> IPAS, Partners for Reproductive Justice 'An Evaluation of the implementation of the violence against persons prohibition Act/law in Nigeria' <https://ipasnigeria.org/wp-content/uploads/2024/05/An-Evaluation-of-the-Implementation-of-the-VAPP-Law-in-Nigeria-compressed.pdf> accessed 30<sup>th</sup> August 2025.

<sup>23</sup> *ibid*

<sup>24</sup> *ibid*

S/N	STATE	LEGISLATIVE STATUS (BILL)	EXECUTIVE STATUS (LAW)
1.	FCT	Passed	Assented to on 23rd May 2015
2.	Abia	Passed on 3 <sup>rd</sup> December 2019	Assented to on 1 <sup>st</sup> October 2020
3.	Adamawa	Passed on March 1 <sup>st</sup> 2021	Assented to on 30 <sup>th</sup> August 2021
4.	Akwa-Ibom	Passed on 10 <sup>th</sup> June 2019	Assented to on 19 <sup>th</sup> June 2020
5.	Anambra	Passed in 2017	Assented in 2017
6.	Bauchi	Passed in May 2015	Assented in 2020
7.	Bayelsa	Passed on February 17 <sup>th</sup> , 2021	Assented in 2020
8.	Benue	Passed on May 26 <sup>th</sup> , 2019	Assented to on May 28 <sup>th</sup> 2019
9.	Borno	Passed in 2022	Assented to on 10 <sup>th</sup> January 2022
10.	Cross Rivers	Passed in 2021	Assented to on 31 <sup>st</sup> December 2021
11.	Delta	Passed on July 28 <sup>th</sup> , 2020	Assented to on October 7 <sup>th</sup> , 2020
12.	Ebonyi	Passed on May 1 <sup>st</sup> 2018	Assented to in May 2018
13.	Edo	Passed on June 17 <sup>th</sup> , 2021	Assented to on August 5 <sup>th</sup> , 2021
14.	Ekiti*	Passed the Ekiti state Gender-Based Violence (Prohibition) Amendment Law 2019	
15.	Enugu	Passed on April 4 <sup>th</sup> , 2019	Assented to in April 2019
16.	Gombe	Passed on October 18 <sup>th</sup> , 2022	Assented to on 13 <sup>th</sup> December 2022
17.	Imo	Passed on July 27 <sup>th</sup> 2021	Assented to on 17 <sup>th</sup> December 2021
18.	Jigawa	Passed on the 24 <sup>th</sup> of February 2021	Assented to on 24 <sup>th</sup> February 2021
19.	Kaduna	Passed in December 2018	December 1 <sup>st</sup> , 2018
20.	Kano	Yet to be passed	-
21.	Katsina	Passed	Assented to on 22 <sup>nd</sup> December 2023
22.	Kebbi	Passed on 30 <sup>th</sup> September 2021	Assented to on 27 <sup>th</sup> July 2022
23.	Kogi	Passed on March 22 <sup>nd</sup> , 2021	Assented to on 27 <sup>th</sup> June 2022
24.	Kwara	Passed on Sept 24 <sup>th</sup> 2020	Assented to on 15 <sup>th</sup> October 2020
25.	Lagos*	Passed the Protection Against Domestic Violence Law of Lagos state 2007	
26.	Nasarawa	Passed on January 6 <sup>th</sup> , 2021	Assented to on January 21 <sup>st</sup> , 2021
27.	Niger	Passed on February 24 <sup>th</sup> , 2021	Assented to on November 3 <sup>rd</sup> , 2021
28.	Ogun	Passed on January 17 <sup>th</sup> , 2018	Assented to in 2018
29.	Ondo	Passed on July 2 <sup>nd</sup> , 2021	Assented to on July 15 <sup>th</sup> , 2021
30.	Osun	Passed on August 12 <sup>th</sup> , 2021	Assented to on 11 <sup>th</sup> October 2021
31.	Oyo	Passed on December 18 <sup>th</sup> , 2020	Assented to on 26 <sup>th</sup> , February 2021

Fig 1.0 showing the various timeline of state adoption.

32.	Plateau	Passed on December 24 <sup>th</sup> 2020	Assented to on 19 <sup>th</sup> May 2022
33.	Rivers	Passed on January 2020	Awaiting to in 2021
34.	Sokoto	Passed on January 19th 2021	Assented to on 22 <sup>nd</sup> November 2021
35.	Taraba	Passed on 24 <sup>th</sup> February 2022	-
36.	Yobe	Passed in 2021	Assented to on 16 <sup>th</sup> April 2022
37.	Zamfara	Passed in December 2023	Assented to in 2023

Fig 1. Image Credit: Rule of Law and Empowerment Initiative.

After a decade, the Act has been embraced by 35 states, excluding Kano state among the 36 states of the federation. The illustration titled Fig.1 above highlights the various timelines when each of the 35 states enacted the VAPP as legislation. This mass adoption of the VAPP is as a result of vehement advocacy and social media awareness carried out by a lot of feminist activist organizations like FIDA.<sup>25</sup> For instance, FIDA spearheaded a project titled “Advocacy for the adoption of the VAPP act, 2015” in Rivers State.<sup>26</sup>

Importantly, Lagos and Ekiti state have taken additional measures by enacting laws aimed specifically against domestic violence and gender based violence and gender based violence – Protection against Domestic Violence Law of Lagos State and Ekiti State Gender based violence (Prohibition) amendment, 2019. This is a welcomed development as it is perceived as being instrumental to the expansion of our jurisprudence and introducing new dimensions to the Nigerian legal system.

<sup>25</sup> FIDA ‘Advocacy for the adoption of the VAPP Act and its effective implementation on the Voice project’ (2019) <https://fida.org.ng/the-voice-project/> accessed on 31<sup>st</sup> August 2025.

<sup>26</sup> ibid

Another critical aspect to consider in the discussion concerning state adoption is the superiority of the adopted law in the midst of other existing laws and what court has jurisdiction to hear matters related herein. In Rivers state, the state law there gives the VAPP superiority in cases of conflict between it and the criminal code because it is broader in scope and provides remedies that the criminal code does not provide for.<sup>27</sup> Conversely, in Jigawa and Kebbi, the Sharia law is superior to the VAPP in cases of conflict, while Ogun state law is silent on this issue.<sup>28</sup>

#### **4.0 EFFECTIVENESS OF NIGERIA’S RESPONSE TO GENDER BASED VIOLENCE**

Nigeria's strategy in addressing gender-based violence (GBV) is largely driven by its commitment to international agreements and declarations that have been enacted and ratified by the National House of Assembly. Furthermore, the tragic loss of life, injuries, and the public outcry from citizens have significantly influenced the nation's approach.

This response demonstrates itself in the enactment of new laws, i.e., the VAPP act, National Policy on Gender based Violence, and the domestication of conventions like Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Nevertheless, the question of effectiveness arises, prompting an examination of whether these laws have had a tangible impact beyond their theoretical framework. In the subsequent points, the author will address these inquiries.

##### **A. INCREASE IN CASES OF GBV DESPITE PUNITIVE MEASURES STIPULATED BY THE ACT:**

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<sup>27</sup> ibid

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With the enactment of VAPP and her adoption by states, one would suppose that these laws would have a heavy effect on the incidences of GBV in Nigeria, but it is paradoxical that there have been an increase since 2015.

A report from Mirabel Centre, (a Sexual Assault Referral Centre in Lagos), and the National Human Rights Commission, indicates a clear increase in the incidences of GBV since 2015.<sup>29</sup> Moreover, the Women Advocate Research and Documentation Centre (WARDC) reported that fewer than 5% of the GBV cases reported between 2019 and 2022 resulted in conviction<sup>30</sup>; this is a strong evidence that offenders have escaped justice, due to the ineffectiveness of enforcement mechanism.

On the 21<sup>st</sup> of May, 2024, PUNCH newspaper reported that the cases of GBV had risen to 6,142 in five months. The data as published by PUNCH revealed that within a year, there were 43,248 reported cases across the country, but only a conviction of 636 perpetrators.<sup>31</sup>

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<sup>29</sup> Olumide Wilson 'Tackling sexual and GBV in Nigeria: Accessing the impact of the VAPP Act across states' (2025) [https://brickmans-law.com/tackling-sexual-and-gender-based-violence-in-nigeria-assessing-the-impact-of-the-vapp-act-across-states/#:~:text=The%20domestication%20of%20the%20VAPP,reflects%20systemic%20challenges%20such%20as](https://brickmans-law.com/tackling-sexual-and-gender-based-violence-in-nigeria-assessing-the-impact-of-the-vapp-act-across-states/#:~:text=The%20domestication%20of%20the%20VAPP,reflects%20systemic%20challenges%20such%20as;); accessed 31<sup>st</sup> August 2025.

<sup>30</sup> ibid

<sup>31</sup> Sodiq Ojuroungbe 'Despite VAPP Act, GBV rises to 6,142 cases in five months' PUNCH Newspaper( Lagos, 2024)<https://punchng.com/despite-vapp-act-gender-based-violence-rises-to-6142-cases-in-five-months/> accessed 30<sup>th</sup> August 2025.

	Reported cases	Under investigation	Prosecution Ongoing	Convicted cases
FCT / Reported to NAPTIP	308	151	139	16
Adamawa	29	5	22	2
Kano	53	0	3	44
Edo	287	1	225	39
Ekiti	93	93	67	26
Delta	79	0	72	7
Kwara	22	0	18	4
Akwa-Ibom	50	0	14	28
Yobe	2	2	0	0
Kaduna	3	0	0	3
<b>Total</b>	<b>926</b>	<b>252</b>	<b>560</b>	<b>169</b>

Fig 2. Image Credit: NAPTIP Website

The above figure titled Fig.2 further exemplifies the increase in the incidences of GBV in Nigeria; a situation where the number of reports supersede the number of convictions. The continuous increase of GBV in Nigeria evidences a weak legal system backed up by corruption and negligence of relevant officers. For instance, *Section 1(4) VAPP Act* provides for the establishment of sexual offenders register, but a dearth in accountability through constant update of the register has undermined its purpose.

Welcome to Nigeria, where the policemen demand money for fuel to do their job, where officers of the law humiliate women who are rape victims and mock men who speak up against abuse.

### **B. EFFECT ON CULTURAL AND SOCIAL BARRIERS:**

In Nigeria, there exists a culture of shaming and silencing victims, a phenomenon that stems from patriarchy, social status, cultural, and religious belief.<sup>32</sup> For instance, a woman experiencing psychological abuse at home may find that the only advice given to her is to

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<sup>32</sup>Cheluchi Onyemelukwe 'Legislating on violence against women: A critical analysis of Nigeria; Recent violence against persons (Prohibition) Act 2015' (2016) Vol 5 Issue 2 De Paul Journal of Women, Gender and the Law < <https://drive.google.com/drive/folders/1IRmP-QXauEjUbN9hIGlyTRSI8Ar1jUho>> accessed on 29<sup>th</sup> August 2025.

simply endure it, as it is deemed minor. Additionally, in some religious context cases, the case of St. Rita, who endured her husband's abuse till he became godly, is often referenced to encourage victims to endure. Conversely, a man, due to his masculine ego, may rather prefer death than speaking up, as doing so could imply that he is yielding to his wife and admitting her dominance.

To a large extent, due to the social media savvy era, most of these cultural and social barriers have been dismantled. It is evident in the number of increasing GBV reports; showing that more people are becoming aware of the provisions of VAPP.

States like Lagos have active social media handles and hot lines that victims of abuse can easily reach out to. For instance, the Lagos DSVAs have often been tagged on X for issues relating to domestic violence in families. Additionally, the handle creates awareness about breaking some of these barriers, making reference to the VAPP act. Its influence has secured about 140 convictions and psychological support for 1487 survivors as of August 2024 to July 2025.<sup>33</sup>

The presence of VAPP has created a strong media sensation, and this is a sign of an effective response to GBV in Nigeria.

### **C. ASSESSIBILITY:**

It's one thing to have laws put in place and another thing to make the provisions of the law and some other benefits accessible to individuals.

While adopted state laws are not accessible online, certain mechanisms like the Sexual Assault Referral Centres (SARCs) have been made available in various states. In 2024, there were only 47 centres across Nigeria<sup>34</sup>, but today, there are 50 centres in states including Edo, Kaduna,

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<sup>33</sup> <https://x.com/Lagosdsva/status/1961485679688323189?t=S6CRkbV-BkdcZwDZZmvr-Q&s=19>

<sup>34</sup> Directory of Sexual Assault Referral Centres (SARC's) in Nigeria <https://herstoryourstory.ng/wp-content/uploads/2024/11/Directory-of-SARCs-Oct-2024.pdf> accessed 1 September 2025

Enugu and the FCT, dedicated to providing solace, legal aid, and medical facilities to victims.

<sup>35</sup>Moreover, these centres are equipped with hot lines that enable them to take reports and take prompt action.

## **5.0 RECOMMENDATIONS AND CONCLUSION**

Although the VAPP act has enabled sensations across the country and tackled the issue of GBV to some extent, some gaps still exist in the implementation of the VAPP act. These gaps include weak institutional capacity, multiplicity of laws, lack of adequate funding across states, and, of course, social stigma. To this end, the author gives the following recommendations to help stir the effectiveness of the VAPP act.

### **A. ESTABLISHMENT OF SPECIAL COURT/TRIBUNAL FOR CASES ON GBV:**

Pursuant to *Section 27* of the Act, the High Court is empowered with the jurisdiction to hear cases on GBV or actions arising from the interpretation of VAPP. As already known, the High Court is congested with a lot of cases, and this is a hindrance to speedy hearing and judgement delivery on GBV cases. A notable example is the case of Osinachi Nwachukwu, the popular Gospel singer, who was a victim of domestic violence. Although she passed away in 2022, judgement against her husband was given 3 years later<sup>36</sup>, and this was because of public interest in the matter.

Moreover, even the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) seems overburdened with implementation of the Act in addition to its own primary duty which focuses on human trafficking. Establishing a special court as done in countries like Spain,

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<sup>35</sup> ibid

<sup>36</sup> Okiki Adeduyite 'Gospel Singer Osinachi's husband sentenced to death by hanging' PUNCH Newspaper (Abuja, 2024) < [https://punchng.com/breaking-gospel-singer-osinachis-husband-sentenced-to-death-by-hanging/#google\\_vignette](https://punchng.com/breaking-gospel-singer-osinachis-husband-sentenced-to-death-by-hanging/#google_vignette)> accessed on 1 September 2025.

United Kingdom and Rwanda, with less stringent court rules and procedures for this purpose would enable justice to be given in time and also produce recent precedents on GBV in Nigeria.

**B. UNIFICATION OF LAWS:**

It is a strongly recommended that laws that address GBV are consolidated into a single framework and made a central basis for legal action. For instance, the criminal code, criminal procedure Act, penal code, Child Rights Act, and Widowhood practices laws of states like Cross River and Anambra are integrated into one comprehensive law. This would eliminate conflicting interpretations that could hinder prosecution and prolong the delivery of justice. Additionally, it would include essential support measures for victims.

**C. ADEQUATE FUNDING OF SARCS:**

Throughout the states, as previously stated, there are SARCS set up to provide appropriate medical and legal support to those affected by GBV. These centres cannot operate effectively without financial resources, therefore, it is suggested that this be considered in the annual national budget. Furthermore, proper oversight should be established regarding the utilization of these funds to avoid any misappropriation.

**D. THE ROLE OF NGOs, SCHOOLS, CHURCHES, AND OTHER RECOGNIZED GATHERINGS:**

The influence of NGOs and other organizations mentioned earlier in enhancing the effectiveness of the Act is significant. It is periodically advised that the Government partners with these entities to spread awareness regarding GBV and the provisions outlined in the VAPP Act.

Matters such as marital rape, indecent exposure, domestic violence, and other degrading forms of violence can be addressed in religious gatherings, and teenagers as well as school-aged children can be educated about GBV as a comprehensive subject.

Fortunately, NGOs in Nigeria have actively engaged in the fight against GBV since the Act was enacted. Reports indicate that NGOs have consistently supported victims in legal matters, and their funding and vigorous advocacy have been crucial in alleviating the impacts of such violence. Nonetheless, it is still recommended that the Government collaborates with these organizations to enhance the effectiveness of the Act.