

**SEXUAL VIOLENCE AGAINST CHILDREN
(COMPULSORY TREATMENT AND CARE)
LAW, 2020.**

NO. 8 OF 2020.

EKITI STATE OF NIGERIA

SEXUAL VIOLENCE AGAINST CHILDREN (COMPULSORY TREATMENT AND CARE) LAW, 2020

Arrangement of Sections.

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**A LAW TO PROVIDE FOR THE COMPULSORY MEDICAL
TREATMENT AND CARE FOR CHILD VICTIM OF SEXUAL
VIOLENCE AND FOR RELATED MATTERS.**

NO. 8 OF 2020.

EKITI STATE OF NIGERIA

Commencement (

ENACTED by the Ekiti State House of Assembly as follows:

Right to Treatment.

1. (1) A Child victim of sexual violence is entitled to immediate and adequate treatment in any Hospital in Ekiti State.
- (2) Every person, including security agents, shall render every possible assistance to any child victim of sexual violence and ensure that the child is taken to the nearest Hospital for immediate treatment.

Duty to Assist.

2. (1) No person in charge of a Hospital shall refuse to accept or receive for care or treatment of any child who is reported to have been sexually assaulted.
- (2) Such Hospital shall offer child specialised medical care and treatment.

Notification of Police.

3. (1) A Hospital that receives or accepts any child victim of sexual violence for treatment shall immediately notify the nearest Police Station and a designated official of the Ministry of Women Affairs, Gender Empowerment & Social Welfare or Ministry of Health and Human Services or Ministry of Justice.
- (2) It shall be the duty of the parents or legal guardian of the child victim to provide adequate information to the hospital on the physical condition of the child including circumstances surrounding the sexual violence.
- (3) Upon receipt of the notification under subsection (1) of this Section, the Police shall immediately commence investigation with a view to determining the circumstances.

Sexual Assault Medical Response Scheme.

4. (1) There is hereby established a Sexual Assault Medical Response Scheme which shall be supervised by the Commissioner for Health and Human Services.
- (2) The purpose of the Scheme is to facilitate through partnership with medical institutions and hospitals in each Local Government of the State a Scheme for free and qualitative medical treatment for children who are victims of sexual violence.
- (3) The Commissioner for Health and Human Services may by order designate Hospitals in each Local government that are partners under the Scheme.

Certificate of fitness.

5. The Police shall not invite the child victim of sexual violence from the Hospital for the purposes of investigation unless the Chief Medical Director of the Hospital certifies the child fit and no longer in dire need of Medicare.

Offence.

6. (1) A Hospital that fails to make a report as required under Section 3 of this Law commits an offence and is liable on conviction to a fine of ₦1,000,000.00 and any Doctor or person directly concerned with the treatment is equally liable on conviction to a fine of ₦1,000,000.00.
- (2) A parent or legal guardian of the child victim that fails to make adequate disclosure to the hospital as required by Section 3 (2) of this Law or whose conduct or utterances is aimed at preventing the hospital from reporting to the Police commits an offence and is liable on conviction to three months imprisonment without an option of fine.

Person guilty of the Offence.

7. Any person or authority including any police officer whose conduct or utterances leads to or causes substantial humiliation or emotional agony to the victim or the victim's parents or legal guardians, commits an

offence and is liable on conviction to imprisonment for a term of not less than five (5) months without the option of fine.

Offence of standing by.

8. Any person or authority including any police officer, other security agent or hospital who stands by and fails to perform his duty under this Law commits an offence and is liable on conviction to a fine of ₦500,000.00 or imprisonment for two (2) years or both.

Medical Records.

9. (1) A hospital that takes or receives for treatment any child victim of sexual violence shall keep adequate medical record of the treatment.
(2) A copy of such medical report shall be sent to the Police within 24 hours of completion of treatment.

Trial of a corporate body.

10. Where a corporate body commits an offence under this Law, the head of corporate body shall be prosecuted.

Restitution.

11. In addition to any other penalty under this Law, the High Court shall order a person or corporate body convicted of an offence to make restitution to the victim by directing that person or corporate body to pay to the victim an amount not less than ₦1,000,000.00

Order of restitution.

12. An Order of restitution may be enforced by the victim or by the prosecution on behalf of the victim in the same manner as a judgement in a civil action.

Interpretation.

13. (1) A person is deemed to be in charge of a Hospital if at the material time that person exercises control on the treatment and admission of patients for treatment or care.
(2) In this Law, unless the context otherwise requires-
“**Child**” means any boy or girl person under the age of 18;

“Court” means the Family Court having the same status as the State High Court;

“Designated” means any person appointed by his/her Ministry or any hospital appointed to be in charge of sexual violence against children.

“Hospital” means government approved medical facilities.

“Sexual Violence” includes but not limited to rape and sexual abuse of children.

Citation.

14. This Law may be cited as the Sexual Violence Against Children (Compulsory Treatment and Care) Law, 2020.

SEXUAL VIOLENCE AGAINST CHILDREN (COMPULSORY TREATMENT AND CARE) LAW, 2020

This printed impression has been carefully compared by me with the Bill, which has been passed by the Ekiti State House of Assembly and found by me to be a true copy of the said Bill.

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MR. TOLA ESAN
Clerk of the House of Assembly

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RT. HON. FUNMINIYI AFUYE
Speaker of the House

Governor's Assent

I hereby signify my assent to this Bill

DR. JOHN KAYODE FAYEMI
Executive Governor of Ekiti State

MADE AT ADO EKITI THIS DAY OF2020