



**OFFICE OF THE CHIEF JUSTICE OF NIGERIA  
SUPREME COURT OF NIGERIA**

Three Arms Zone, Central District, PMB 308, Abuja.

**PRACTICE DIRECTION**

**RE: THE ROLE OF MAGISTRATES IN CURBING POLICE BRUTALITY  
UNDER THE ADMINISTRATION OF CRIMINAL JUSTICE ACT.**

I have observed, and received several complaints of the horrific incidents of Police brutality, inordinate arrest, detention and extortion of innocent Nigerians by Police Officers across the Country.

These incidents have assumed frightening proportions in recent times.

The Magistrate Courts are currently overwhelmed with cases of such brutality, inordinate arrests and detention of Citizens.

As we approach election year, it is imperative that we curb these excesses through the instrumentality of the statutory powers of the courts.

The Administration of Criminal Justice Act (ACJA) has given Magistrates oversight functions over Police Stations in their Jurisdictions.

Section 34 (1) of the Act States *"The Chief Magistrate, or where there is no Chief Magistrate within the police division, any Magistrate designated by the Chief Judge for that purpose, shall, at least every month, conduct an inspection of police stations or other places of detention within his territorial jurisdiction other than prison."*



Section 34 (2) further States:

*"During the visit, Magistrate may:*

- a. call for, and inspect the record of arrest;*
- b. direct the arraignment of the suspect;*
- c. where bail has been refused, grant bail to any suspect where appropriate if the offence for which the suspect is held is within the jurisdiction of the Magistrate."*

In view of the above, I hereby direct as follows;

1. The Chief Judge of every State of the Nation including the Federal Capital Territory shall direct Chief Magistrates, and where there is no Chief Magistrate within the Police Division, designate any Magistrate for that purpose, to, at least every month, conduct an inspection of Police Stations or other places of detention within his territorial jurisdiction other than prison.
2. The Chief Judge of every State of the Nation including the Federal Capital Territory shall put in place appropriate mechanisms to ensure compliance with the above provisions of the Administration of Criminal Justice Act.

*Issued this 20<sup>th</sup> Day of June, 2018.*

A handwritten signature in dark ink, appearing to read 'Walter S. N. Onnoghen', is written over a faint circular stamp.

Hon. Mr. Justice Walter. S. N. Onnoghen, GCON,  
Chief Justice of Nigeria