

**FEMALE TO FEMALE VIOLENCE IN NIGERIA-  
UNVEILING THE OTHER PERPETRATOR UNDER  
THE VIOLENCE AGAINST PERSONS ACT 2015**

**BY**

**IDIH NGOZI MAUREEN IHUNNA**  
DIRECTOR, CENTER FOR GENDER STUDIES, FPNO  
*LL.B, B.L, LL.M , FiCAN, Ph.D.( Laws)*  
[nidih@fpno.edu.ng](mailto:nidih@fpno.edu.ng) ; [juridicajournal@gmail.com](mailto:juridicajournal@gmail.com)

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## ABSTRACT

*Violence by women against other women is a fact that is underreported, under litigated and understudied in Nigeria unlike male to female gender-based violence. Female-to-female violence is a critical and multifaceted issue that affects the well-being and empowerment of women in Nigeria as women may themselves be predators of other women and in some instance, men. The enactment of the Violence Against Persons (Prohibition) Act 2015 (VAPP Act) provides a legal framework to address various forms of violence, including physical, sexual, psychological, and economic abuse. This paper examines the prevalence, causes, and impact of female-to-female violence within the Nigerian context, highlighting the significance of the VAPP Act as a legislative tool for prevention and response. By analyzing the Act's provisions and their implementation, the paper underscores the importance of legal protection, public awareness, and community engagement in mitigating female-to-female violence. The study also explores the challenges and barriers to effective enforcement of the VAPP Act and offers recommendations for enhancing its impact. Ultimately, this paper aims to contribute to the discourse on gender-based violence and promote strategies for fostering a safer and more equitable society for all women in Nigeria.*

## KEY WORDS

Violence

Gender

Female Perpetrator

## **FEMALE TO FEMALE VIOLENCE IN NIGERIA-UNVEILING THE OTHER PERPETRATOR UNDER THE VIOLENCE AGAINST PERSONS ACT 2015\*\***

### **1.0 INTRODUCTION**

The *Violence Against Persons (Prohibition) Act (VAPP Act) 2015*<sup>1</sup> is an Act to eliminate violence in private and public life, prohibit all forms of violence against persons and to provide maximum protection and effective remedies for victims and punishment of offenders; and for related matters. The provisions of the Act supersede any other provision on similar offences in the Criminal Code, Penal Code and Criminal Procedure Code.<sup>2</sup> The VAPP Act is the first criminal legislation in Nigeria to expand the concept of rape beyond penetration of the vagina by the penis and to include penetration of the vagina, anus or mouth of another person by either a male or female with any part of their body or an object. *Section 1(1)* of the VAPP Act 2015 provides that “a person commits the offence of rape if - (a) He or she intentionally penetrates the vagina, anus or mouth of another person with any other part of his or her body or anything else; (b) The other person does not consent to the penetration: or (c) The consent is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or additive capable of taking away the will of such person or in the case of a married person by impersonating his or her spouse. The VAPP Act is also the first instrument to prohibit and punish female genital mutilation, forced eviction by a person of his/her spouse and children, verbal, emotional and psychological abuses, harmful widowhood practices, political violence, *et cetera*.<sup>3</sup>

Several States in Nigeria have passed their Violence Against Persons (Prohibition) Law such as *The Imo State Violence Against Persons Prohibition Law 2021*. The Law contains similar provisions with the Violence Against Persons Prohibition Act 2015. *Section 2* of the Imo State Law gave the following definitions: “Violence” means any act or attempted act, which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm whether this occurs in private<sup>4</sup> or public life<sup>5</sup>, in peace time

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\*\* Idih Ngozi Maureen Ihunna, Director, Center for Gender Studies, FPNO; LL. B, B.L, LL.M, FiCAN, Ph.D.(Laws) nidih@fpno.edu.ng; juridicajournal@gmail.com. A public lecture presented at the International Women’s Day 2025 organised by Center for Gender Studies FPNO and Forum for African Women Educationalists in Conjunction with International Federation of Women Lawyers (FIDA), The Fire & Ice Forum for Justice (FIFJ), Christie Agim Initiative (CAI) and Students Union Government FPNO (SUG) at the 1000 Capacity Auditorium, Federal Polytechnic Nekede Owerri, Imo State Nigeria.

<sup>1</sup> Hereinafter referred to as VAPP ACT 2015.

<sup>2</sup> *Section 44 (2) VAPP Act 2015*.

<sup>3</sup> Nwazuo A. N, ‘A Critical Appraisal of the Violence Against Persons (Prohibition) Act, 2015’ (2016) *Journal of Law, Policy and Globalization*, Vol.47, 69.

<sup>4</sup> Violence in the private sphere” means 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

<sup>5</sup> ‘Violence in the public sphere” means any act or attempted act perpetrated by the State or non-State actors before, during and after elections, in conflict or war situations. which threatens peace. security and well-being of any person or the nation as a whole;

and in conflict situations.<sup>6</sup> "Perpetrator" means any person who has committed or allegedly committed an act of violence while a "victim" means any person or persons, who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights through acts or omissions that are in violation of this Act or the criminal laws of the country; and includes the immediate family or dependents of the direct victim and any other person who has suffered harm in intervening to assist victims in distress.<sup>7</sup> The VAPP Act is a crucial legislative tool for preventing and responding to female to female violence in Nigeria. It is a significant step towards reducing the incidence of gender based in Nigeria.

## 2.0 GENDER-BASED VIOLENCE

Gender violence refers to harmful acts directed at an individual based on their gender. It encompasses a range of behaviours that result in physical, sexual, psychological, or economic harm. Gender violence is rooted in unequal power relations and systemic discrimination, often targeting women and girls. Several factors contribute to the prevalence of gender violence in Nigeria, which include, harmful cultural practices and deeply entrenched gender norms play a significant role in perpetuating violence against women. Practices such as female genital mutilation (FGM), child marriage, and widowhood rites are still prevalent in many parts of Nigeria. Furthermore, Nigeria's patriarchal society places men in positions of power and authority, often leading to the subjugation of women. This power imbalance creates an environment where gender violence is normalized and tolerated.<sup>8</sup> Economic disparity between men and women exacerbates the vulnerability of women to violence. Financial dependence on male partners can trap women in abusive relationships, as they may lack the resources to leave and support themselves independently.<sup>9</sup> While there have been legislative efforts to address gender violence, such as the Violence Against Persons (Prohibition) Act of 2015, enforcement remains a challenge. Many victims do not have access to legal support or fear that their cases will not be taken seriously.<sup>10</sup>

## 3.0 FEMALE TO FEMALE VIOLENCE

Female-to-female violence, also known as women's violence against other women, refers to acts of physical, emotional, psychological, or verbal aggression perpetrated by one woman against another. This type of violence can occur in various contexts, including domestic settings, workplaces, schools, social groups, and online environments. It encompasses a range of behaviours, such as physical assault, bullying, harassment, intimidation,

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<sup>6</sup> Violence perpetrated by non-State actors" includes (a) wrongful arrest and detention (b)assault(c)use of force without lawful authority (d)unlawful entry into the premises; or (e) demolition of property without due processes:

<sup>7</sup> Section 46. "Persons" is as defined in the Interpretation Act under Section 18, Cap. 192 Laws of the Federation of Nigeria. 2004

<sup>8</sup> Okemgbo, C. N.B 'Prevalence, Patterns and Correlates of Domestic Violence in Selected Igbo Communities of Imo State, Nigeria.' (2002) *African Journal of Reproductive Health*.

<sup>9</sup> Izugbara, C. O, and others 'Gender-Based Violence in Sub-Saharan Africa: A Review of Demographic and Health Survey Findings and Their Implications for Policy and Practice' (2008) *African Journal of Reproductive Health*.

<sup>10</sup> Ajayi, A. I and others, 'Barriers to and Facilitators of Gender-Based Violence Reporting in Nigeria' (2020) *Journal of Interpersonal Violence*.

manipulation, and other forms of abuse or aggression. Like all forms of violence, female-to-female violence is harmful and unacceptable, and it can have significant negative impacts on the well-being and mental health of those involved.<sup>11</sup> Violence against women, including female-to-female violence, is prevalent in Nigeria. According to a 2019 survey by the Nigerian National Bureau of Statistics, 30% of Nigerian women aged 15-49 have experienced physical violence, and 68% have encountered emotional, economic, or sexual abuse.<sup>12</sup> Harmful cultural practices and gender norms contribute to the perpetuation of violence against women by women. Such practices include female genital mutilation and harmful widowhood practices.<sup>13</sup> Females in Nigeria could be guilty of the following offences against other women- murder, assault, abandonment, political violence, sexual offences and harmful traditional practices *et cetera*.

### 3.1 Murder

*Section 316 of the Criminal Code*<sup>14</sup> defines the offence of murder as follows- “Except as hereinafter set forth, a person who unlawfully kills another under any of the following circumstances that is to say:

- (a) *If the offender intends to cause the death of the person killed, or that of some other person;*
- (b) *If the offender intends to do to the person killed or to some other person some grievous harm;*
- (c) *If death is caused by means of an act done in the prosecution of an unlawful purpose, which act is of such a nature as to be likely to endanger human life;*
- (d) *If the offender intends to do grievous harm to some person for the purposes of facilitating the commission of an offence which is such that the offender may be arrested without warrant, or for the purpose of facilitating the commission of an offence which is such that the offender may be arrested without warrant, or for the purpose of facilitating the flight of an offender who has committed or attempted to commit any such offence;*
- (e) *If death is caused by administering any stupefying or overpowering thing for either of the purpose last aforesaid;*
- (f) *If death is caused by willfully stopping the breath of any person for either of such purpose, is guilty of murder.*

The sensational case of *FRN v. Dr. Anuoluwapo Funmilayo Adepoju & Med Contour Aesthetics Centre*<sup>15</sup> centred on deaths caused by botched plastic surgeries for Brazilian Butt Lift (BBL) on women by the allegedly nonqualified female doctor. There are incidences of

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<sup>11</sup>UN Women ‘Terms and Concepts’ <<https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2018/Globally-safety-framework-References.pdf?form=MG0AV3>>. Accessed 26 February 2025

<sup>12</sup> Efeairoro J, ‘Domestic Violence in Nigeria: The Road to Gender Equality and Empowerment’ <<https://www.vanguardngr.com/2023/07/domestic-violence-in-nigeria-the-road-to-gender-equality-and-empowerment/?form=MG0AV3>>. Accessed 26 February 2025.

<sup>13</sup> *ibid.*

<sup>14</sup> *Criminal Code Act Cap C38 LFN 2004.*

<sup>15</sup> Reported at <http://fccpc.gov.ng/re-frn-vs-dr-anuoluwapo-funmilayo-adepoju-and-med-countour-services-limited-court-rejects-no-case-submission-appilcation-affirms-there-is-a-case-to-answer-sets-may-20th-2022-to-commence-trial-2/> Accessed 4<sup>th</sup> September, 2023.

murder through domestic violence and harmful cultural practices. One Mrs. Ujunwa Ugwuoke was alleged to have beaten her nine-year-old house help, Precious Korshima, to death in Enugu State.<sup>16</sup> Also, in Edo State, a house help Anna Amos reportedly murdered her 70 year old employer by smashing her head with a stone.<sup>17</sup> A 24-year-old housewife, Hafsat Surajo, in Kano State allegedly stabbed her domestic staff, Nafi'u Hafiz, to death on 21<sup>st</sup> December 2023.<sup>18</sup>

### 3.2 Assault

Section 252 of the Criminal Code states that a person who strikes, touches, or moves, or otherwise applies force of any kind to the person of another, either directly or indirectly, without his consent, or with his consent, if the consent is obtained by fraud, or who by any bodily act or gesture attempts or threatens to apply force of any kind to the person of another without his consent, in such circumstances that the person making the attempt or threat has actually or apparently a present ability to effect his purpose, is said to assault that other person, and the act is called an assault. According to the VAPP Act, "dangerous weapon" means any instrument or machine directed toward a person with the intention of inflicting bodily harm on such person and includes a gun, knife, stick, whip or other household appliance capable of inflicting bodily harm on a person.<sup>19</sup> A "substance attack"<sup>20</sup> is the exposure of any person to any form of chemical, biological or any other harmful liquid with the intention to cause grievous bodily harm which includes acid attack, hot water, or oil. The offender is liable on conviction to a term of life imprisonment without an option of fine<sup>21</sup> and an attempt, aiding, abetting *et cetera* attracts 25 years without an option of fine.<sup>22</sup> In the Indian case of *State Delhi (Administration) v. Mewa Singh*<sup>23</sup> a mother-in-law joined her son to pour acid on a wife. There is yet to be a case in Nigeria where compensation to the acid attack victim was awarded against the accused person to he or she pays medical expenses of corrective surgery.

Under the VAPP Act, provides that "a person who wilfully causes or inflicts physical injury on another person by means of any weapon, substance or object commits an offence and is liable on conviction to a term of imprisonment not exceeding 5 years or a fine not exceeding N100,000.00 or both."<sup>24</sup> A person who attempts to commit the act of violence provided for in Section 2(1) commits an offence and is liable on conviction to a term of imprisonment not

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<sup>16</sup> 'Nigerian Woman Allegedly Kills Nine-year-old House Help In Enugu, Sets Corpse Ablaze' <<https://saharareporters.com/2022/12/23/nigerian-woman-allegedly-kills-nine-year-old-house-help-enugu-sets-corpse-ablaze>>. Accessed 27 February 2025.

<sup>17</sup> '14-year-old house help kills elderly boss in her sleep' <<https://www.pulse.ng/articles/nigeria-ecfrontpage/pushed-by-unknown-force-14-year-old-house-help-kills-elderly-boss-in-her-sleep-2024080106563949744>>. Accessed 27 February 2025.

<sup>18</sup> 'Police arrest housewife for killing house help in Kano' <<https://www.vanguardngr.com/2023/12/police-arrest-housewife-for-killing-house-help-in-kano/>>. Accessed 27 February 2025.

<sup>19</sup> Section 46 VAPP Act 2015 is the interpretation section.

<sup>20</sup> Section 46.

<sup>21</sup> Section 21 (1)

<sup>22</sup> Section 21 (2) -(4)

<sup>23</sup> 5 (1969) DLT 506

<sup>24</sup> Section 2. Section 4(1) of the Imo State Violence Against Persons (Prohibition) Law provides for the punishment of a term of imprisonment not exceeding 5 years or a fine not exceeding ₦500,000.00 or both

exceeding 3 years or to a fine not exceeding N200,000.00 or both.”<sup>25</sup> Furthermore, *Section 21* provides that “a person who uses chemical, biological or any other harmful liquid on any other commits an offence and is liable on conviction to a term of life imprisonment without an option of fine. Women can administer substances to other women in the guise of aiding conception or propagation pregnancy or paternity fraud.

The Police in Okpanam Community, Oshimili North Local Government Area of Delta State arrested a jealous wife, Mrs. Stella Ifeoma Agbo for allegedly bathing a 17-year-old girl, Miss Judith John Paul with acid. She accused the victim of snatching her hubby in the dream.<sup>26</sup> The Police in Imo State arrested a 35-year-old businesswoman, Nwachukwu, for physically assaulting her 13-year-old house help, Ejieke. The arrest was carried out by officers from the Owerri Urban Divisional Police Headquarters after the minor was rescued at the popular Relief Market in Owerri.<sup>27</sup>

### 3.3 Domestic Violence and Abuse

"Domestic violence"-means an act perpetrated on any person in a domestic relationship where such act causes harm or may cause imminent harm to the safety, health or well - being of any person. *Section 46 VAPP Act*<sup>28</sup> defines a domestic relationship “as a relationship between any person and a perpetrator of violence constituted in any of the following ways -

- (a) they are or were married to each other including marriages according to any law, custom or religion
- (b) **they live or have lived together in a relationship in the nature of marriage although they are not or were not married to each other;**
- (c) they are the parents of a child or children **or are the persons who have or had a parental responsibility for that child or children:**
- (d) they are **family members related by consanguinity, affinity or adoption:**
- (e) they are or were in an engagement, dating or customary relationship including actual or perceived romantic, intimate or sexual relationship of any duration; or
- (f) **they share or recently shared the same residence.**

The highlighted areas above depict situations where women could be guilty of domestic violence to other women. In schools, it may be argued that female students living in the same halls of residence or hostels are in a domestic relationship and can be arrested for domestic violence against each other. 3.3 (b) above is rather controversial as Nigeria does not permit same sex marriage yet there are situations where customarily, women purport to

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<sup>25</sup> *Section 2 VAPP Act 2015*

<sup>26</sup> Omonigho M, ‘Delta woman baths 17-year-old girl with acid for snatching her husband ‘in dream’ <<https://dailypost.ng/2017/06/29/delta-woman-baths-17-year-old-girl-acid-snatching-husband-dream/>>. Accessed 28 February 2025.

<sup>27</sup> Famuyi D, ‘Woman lands in police net for brutalising 13-year-old house help’ <<https://www.pulse.ng/articles/news/woman-lands-in-police-net-for-brutalising-13-year-old-house-help-2025012314375742452>>. Accessed 27 February 2025.

<sup>28</sup> See also *Section 2 of Imo State Violence Against Persons (Prohibition) Law 2021*.

marry other women for the benefit of birthing sons for their husbands posthumously.<sup>29</sup> This is not upheld by Nigerian courts in line with the *Same Sex Marriage (Prohibition) Act 2013*<sup>30</sup> and viewed as an unregulated adoption or surrogacy practice. In *Meribe v. Egwu*<sup>31</sup> the Supreme Court held that a woman to woman marriage is not a valid marriage because marriage in the Nigerian jurisprudence is between a man and a woman. Women in such domestic relationships may also be abusive to each other. One Mrs Jacinta Omiko is in prison custody on the allegation of killing her fellow wife, Mrs Ginika Omiko, who was eight months pregnant in Afikpo Local Government Area of Ebonyi State. Jacinta hit Ginika with a pestle, which led to her death.<sup>32</sup>

Abuse may be emotional, verbal, psychological, physical, forced financial dependence /economic abuse and forced eviction. *Section 14(1)* of the VAPP Act provides that a person who causes emotional, verbal and psychological abuse on another commits an offence and is liable on conviction to a term of imprisonment not exceeding 1 year or to a fine not exceeding ₦200,000 or both.<sup>33</sup> emotional, verbal and psychological abuse- means a pattern of degrading or humiliating conduct towards any person. including -(a) repeated insults, (b) ridicule or name calling (c) repeated threats to cause emotional pain: or (d) the repeated exhibition of obsessive possessiveness, which is of such a nature as to constitute a serious invasion of such person's privacy, liberty, integrity or security. Furthermore, "economic abuse" means (a) forced financial dependence (b) denial of inheritance or succession rights, (c) the unreasonable deprivation of economic or financial resources to which any person is entitled or which any person requires out of necessity, including — household necessities, (ii) mortgage bond repayments, or (iii) payment of rent in respect of a shared residence; or (d) the unreasonable disposal or destruction of household effects or other property in which any person has an interest.

"Physical abuse" means acts or threatened acts of physical aggression towards any person such as slapping, hitting, kicking and beating) a person who batters his or her spouse<sup>34</sup> commits an offence and is liable on conviction to a term of imprisonment not exceeding 3 years or to a fine not exceeding ₦200,000 or both.<sup>35</sup> An Akwa-Ibom state woman identified as Iniubong Essien, revealed how her friend, Aniedi and her husband, Uduak Godwin Nsebot, abducted, stripped her naked, tied a rope around her waist, battered her with sticks and stones and paraded her around the village.<sup>36</sup>

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<sup>29</sup> 'Customs That Allow Marriages Between Women or with Dead Persons; The Position of the Law' <<https://sabilaw.org/customs-that-allow-marriages-between-women-or-with-dead-persons-the-position-of-the-law/>>. Accessed 28 February 2025.

<sup>30</sup> This criminalizes civil unions between persons of same sex, solemnization of same and related matters.

<sup>31</sup> (1976) 1 ALL NLR 266.

<sup>32</sup> 'Woman in prison custody for killing fellow wife' <[punchng.com/woman-in-prison-custody-for-killing-fellow-wife/?amp](http://punchng.com/woman-in-prison-custody-for-killing-fellow-wife/?amp)>. Accessed 28 February 2025.

<sup>33</sup> This is not provided for in the *Imo State Violence Against Persons (Prohibition) Law*.

<sup>34</sup> *Section 46* - spouse" means husband or wife as recognised under the Matrimonial Causes Act, Islamic Customary Law.

<sup>35</sup> *Section 19 (1)*.

<sup>36</sup> 'Newly married couple allegedly abduct, strip naked and mercilessly beat a friend accused of stealing the money sprayed at their wedding' <[Lindaikajiblod.com/index.php/2019/newly-married-couple-allegedly-abduct-strip-naked-and-mercilessly-beat-a-friend-accused-of-stealing-the-money-sprayed-at-their-wedding.html](http://Lindaikajiblod.com/index.php/2019/newly-married-couple-allegedly-abduct-strip-naked-and-mercilessly-beat-a-friend-accused-of-stealing-the-money-sprayed-at-their-wedding.html)>. Accessed 28 February 2025.



Forced isolation or separation from family and friends is also an offence.<sup>37</sup> It includes preventing a person from leaving the home or from having contact with family, friends or the outside community. Section 12 (1) provides that 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 economic dependence abuse or exceeding 2 years or 10 a fine not exceeding N500,000.00 or both. A person who forcefully evicts his or her spouse from his or her home or refuses him or her access commits an offence and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding N300,000.00 or both.<sup>38</sup>

### **3.4 Abandonment of women, children and other persons**

A woman deliberately leaving her husband, children, dependents and other persons under the perpetrator's care, destitute and without any means of subsistence, attracts imprisonment not exceeding 3 years or to a fine not exceeding N500,000.00 both.<sup>39</sup>

### **3.5 Political Violence**

Political violence means any act or attempted act of violence perpetrated in the course of political activities, such as elections, and includes any of the following acts: (a) thuggery (b) mugging (c) use of force to disrupt meetings or (d) the use of dangerous weapons that may cause bodily harm or injury.<sup>40</sup> Section 24 (1) of VAPP provides that a state actor<sup>41</sup> who commits political violence commits an offence and is liable on conviction to a term of imprisonment not exceeding 4 years or to a fine not exceeding ₦1,000,000 or both. The State is liable for the offence committed by its agents and the Court shall award appropriate compensation commensurate with the extent and amount of damages.<sup>42</sup>

### **3.6 Damage to property**

Willful destruction or causing of mischief to any property belonging to a person or in, which a person has, a vested interest; Section 11 (1) VAPP Act provides that a person who cause mischief or destruction or damage to property of another with intent to cause or knowing that it is likely to cause distress or annoyance to the victim commits an offence and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding N300,000.00 or both.<sup>43</sup>

### **3.7 Harassment**

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<sup>37</sup> Section 13. It is punishable by a term of imprisonment not exceeding 6 months or to a fine not exceeding N100,000.00 or both

<sup>38</sup> Section 9 (1) VAPP Act.

<sup>39</sup> Section 16 (1)-(4)

<sup>40</sup> Section 23 (1) A person who commits a political violence as defined under of this Act relating to Political violence political violence commits an offence and is liable on conviction to a term of imprisonment not exceeding 4 years or to a fine not exceeding N500,000.00 or both. See also Section 29 of *Imo State Violence Against Persons Prohibition Act 2021*.

<sup>41</sup> "State actors" means group of persons; structured or organized institutions and agencies. (Section 46)

<sup>42</sup> Section 24 (5) VAPP. See also section 30 *Imo State Violence Against Persons Prohibition Act 2021*

<sup>43</sup> See also Section 14(1) *Imo State Violence Against Persons Prohibition Act 2021*

This means engaging in a pattern of conduct that induces fear of harm or impairs the dignity of a person. A form of harassment is stalking<sup>44</sup> which means repeatedly

- (a) watching, or loitering outside of or near the building or place where such person resides, works, carries on business, studies or happens to be; or
- (b) following, pursuing or accosting any person in a manner which induces fear or anxiety
- (c) repeatedly making telephone calls or inducing another person to make telephone calls to a person, whether or not conversation ensues; and
- (d) repeatedly sending, delivering or causing delivery of information such as letters, telegrams, packages, facsimiles, electronic mail, text messages or other objects to any person.

Online bullying and trolling by women against women have been documented via comments, tags, leaked audio tapes, revenge porn videos *et cetera*. Women degrade, bully and troll other women, labeling them prostitutes, whores and calling them demeaning names like ‘*ashawo*’, *husband snatcher et cetera*. In the case *Of Commissioner of Police v. Nwakego Blessing Okoye*<sup>45</sup> a *TIK TOK* performer was jailed for 3 years for cyber bullying of Nollywood actress- Eniola Badmus.

Sexual harassment is another special kind of harassment. It means unwanted conduct of a sexual nature or other conduct based on sex or gender which is persistent or serious and degrading<sup>46</sup>. It creates a hostile or intimidating environment, and this may include physical, verbal or non-verbal conduct. It includes “sextortion” and sexual misconduct by lecturers and other staff in a high institution.<sup>47</sup> Women could also sexually harass other women in the work place or homes or even public places. Recently in *Senator Natasha Akpoti-Uaduaghan v. Senator Godswill Akpabio & 2 Ors.*, Claimant filed N100 billion lawsuit for emotional distress and reputational harm caused by sexual alleged sexual harassment of the Defendant.<sup>48</sup>

### **3.9 Harmful Traditional Practices**

Harmful Traditional Practices mean all traditional behavior, attitudes or practices, which negatively affect the fundamental rights of women, girls, or any person and includes harmful widowhood practices, denial of inheritance or succession rights, female genital mutilation or female circumcision,<sup>49</sup> forced marriage and forced isolation from family and friends commits an offence and is liable on conviction to a term of imprisonment not

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<sup>44</sup> *Section 17(1)* A person who stalks another commits an offence and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding ₦500,000.00 or both. See *Counterman v. Colorado* 600 U.S. 2023.

<sup>45</sup> FHC/L/393C/2023.

<sup>46</sup> *Ejike Maduka v. Microsoft Nigeria Ltd & Ors* [2014] 41 NLLR (PT 125) 67.

<sup>47</sup> *FRN v. Prof Cyril Ndifon (Dean Faculty of Law, University of Calabar) & Anor.* SUIT NO. FHC/ABJ/CR/511

<sup>48</sup> SUIT NO. CV/737/25, High Court of the FCT, Abuja.

<sup>49</sup> Circumcision of a girl or woman- cutting off all or part of the external sex organs of a girl or woman other than on medical ground is prohibited *Section 6 (1) and per subsection (2)* a person who performs female circumcision or genital mutilation or engages 'another to carry out such circumcision or mutilation commits an offence and is liable on conviction to a term of imprisonment not exceeding 4 years or to a fine not exceeding N200,000.00 or both. See also *Section 9(1) Imo State Violence Against Persons (Prohibition) Act 2021*.

exceeding 4 years or to a fine not exceeding or both.<sup>50</sup> A *Sororate Marriage* where a man is presented with another woman by the family of his deceased wife without a fresh marriage procedure as the previous one is regarded as continuing, may be harmful<sup>51</sup>. The Igbo *Nricha* for instance, is a practise where a girl remains unmarried to produce children that will carry on her father's lineage. While some may argue that it could be a voluntary decision, it is a fall out of inequities in the inheritance rights of women. The landmark Supreme Court decision in *Ukeje v. Ukeje*<sup>52</sup> affirmed inheritance rights of women in South East Nigeria

### 3.9.1 Harmful Widowhood Practices

A widow is a woman whose husband is dead and does not remarry. She can be referred to as a woman who has become single because her husband died and she remains unmarried. Widows face harmful traditional practices and most of which are meted by other women. Harmful widowhood practices includes the following:<sup>53</sup>

**Ritual Seclusion (*Ino na nso*):** This involves the widow being secluded in a most restricted manner because the widow is regarded as defiled and unclean. She does not enjoy the company of other 'free' human beings until she is purified.

**Programmed Wailing:** The widow wails early every morning before and after the funeral to the hearing of people in the neighbourhood to demonstrate the depth of her grief over the death of her husband.

**Sitting on the floor:** The widow is compelled to sit on the floor by the "Umuada" as a sign of dethronement of the widow who has lost her status and pride by the death of her husband.

**Sleeping or sitting next to the corpse:** This practice mandates a widow to sit by her husband's corpse or to lie down on a mat beside the corpse. It is said to be done to accord the dead respect and to enjoy his company for the last time.

**Oath ritual:** The widow is subjected to this practice by being forced to drink the water used in bathing the corpse. It is said that this condemnable practice serves as a proof of innocence either of the widow killing her husband or hiding his property from the in-laws.

**Shaving of hair:** In Igbo land, it is a common belief that the beauty of a woman is for her husband only. Her hair is therefore shaved to make the widow feel less complete or less womanly since her duties as a wife are no longer useful. Most widows on their own see it as an outward show of their grief and so majority of widows shave their hairs voluntarily. This shaving is often done leaving cuts in the scalp of the widow because it is roughly done. This act is done by other women.

**Tying up of hands in rags:** In Uzo-Uwani LGA in Enugu State, the widow's hands are tied up in rags in the manner of the boxer's gloves for three months. During this period, the

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<sup>50</sup>Section 15 (1) A person who subjects a widow to harmful traditional practices is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding ₦500,000 or both.

<sup>51</sup> Ngwakwe E.C *African Customary Law: Jurisprudence, Themes And Principles* (2013) Ave Maria Academic Publishers Abakilili, Ebonyi State Nigeria p 257-260.

<sup>52</sup> (2014) 11NWLR (PT. 1418) 384

<sup>53</sup> Eze and others, *Widowhood and Harmful Traditional Practices against Women in South East Nigeria: Challenges and Prospects* (2024) *Journal of Policy and Development Studies (JPDS)*, Vol 15(1), 159 – 174. See also *Section 17(2) Imo State Violence Against Persons (Prohibition) Act 2021*.

widow does not eat with her hands, thus she experiences a period of starvation unless she is fed by another widow. This is to show the widow that she has lost her freedom.<sup>54</sup>

**Forced to take a bath on her husband's grave:** The widow is forced to take a bath on the husband's grave and to run back naked inside the house as a sign of severing her relationship with her dead husband.

**Stipulated period of mourning:** In some Igbo communities a widow is expected to compulsorily mourn with a stipulated mourning outfit for six months or one year. This is an outward show of grief. One may wonder whether a widow ever stops mourning her husband except by being forced to do so.

**Dropping of condolence gifts on the ground:** Monetary presents are dropped on the ground for the widow. She is not expected to stretch out her hands to receive them because she is too unclean to receive gifts from other people's hands. She is also forbidden from shaking hands with anybody.

**Widow inheritance (Forceful remarriage, Levirate marriage or *Nkuchi Nwanyi*):** This is the forceful remarriage of a widow to her husband's younger brother or a close relation. This way the widow is assured that she will not be disinherited of her husband's properties or driven out of her matrimonial home. This widow inheritance is called levirate arrangement. This arrangement has its own problems. The children of the widow may not like it, and the first wife of the younger brother may feel threatened.

**Wearing of black or white mourning outfit:** This is often associated with evil and the widow is expected to wear this outfit first to be noticed as a widow and secondly as someone who has an evil omen. The Christian mothers now insist on wearing white instead of black. Whether it is black or white, there is no difference, since mourning outfits are the same because they have the same interpretation.

**Disinheritance of a widow:** This is a situation where a widow is not allowed to inherit any property of her husband. Igbo land is mainly a patriarchal society in which a widow is seen as a chattel of her husband and his family. As a chattel, she is incapable of owning or inheriting a property but she qualifies to be inherited herself. The only exception is if the woman has a living male child who can inherit part of his father's property and through him the mother may benefit. It is worse in a matrilineal society where the members of the man's maternal family particularly the man's brothers, sisters and their children dispossess the dead man's biological children of their father's property. This practice is usually supported by other women in the family.

This practice contradicts section 36 of the Nigerian Marriage Act which stipulates that a widow with children is entitled to one-third of her husband's estate. Where the widow has no child, she is entitled to half of her husband's estate. The above therefore indicates that on paper, a widow and her children are entitled to inherit from the dead man's estate as sole beneficiaries. In practice this is not the case.

### 3.9.2 Female Genital Mutilation(FGM)

FGM is referred to as the procedures that involve partial or complete excision and/or injury (cauterization or elongation of the clitoris and/or labia minora) to the external female

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<sup>54</sup> Okoye, P, *Widowhood. A Natural or Cultural Tragedy*. Enugu: NICIK Publishers 1995.

genitalia regardless of the reasons (cultural or religious).<sup>55</sup> Female Genital Mutilation (FGM) is one of the dangerous cultural practices that have defied attempts at eradication in many communities in Nigeria. Despite the numerous negative consequences of the practice, many rural communities in the country have held FGM tenaciously as an indispensable aspect of their culture.<sup>56</sup> It is believed that those living in rural areas are more vulnerable to be circumcised than those living in urban areas. Therefore, there is a significant relationship between place of residence and experience of circumcision. More so, that the reason female circumcision was practiced in their community was to prevent women from being promiscuous. According to findings, majority are of the view that educated women have less regard for the practice of female circumcision than non-educated women. Therefore, there is a significant relationship between the level of education and practice of FGM. Furthermore, it is found that people from other religions are more vulnerable to the practice of FGM, compared to Christians. Therefore, there is a significant relationship between religion and experience of female circumcision.<sup>57</sup> The act of FGM is carried out by other women in the community to young girls. This act is seen as an initiation process.

### 3.10 Sexual Offences

Sexual offences include sexual abuse, sexual assault, sexual coercion or compulsion by force or threat to the detriment of the victim's physical or psychological wellbeing, intentionally administering of stupefying or overpowering substances on a person so as to enable any person to engage in a sexual activity with that person, sexual exploitation, sexual intimidation and incest. Sexual Abuse means any conduct which violates, humiliates or degrades the sexual integrity of any person. Sexual assault means the intentional and unlawful touching, striking or causing of bodily harm to an individual in a sexual manner without his or her consent. An example is rape. A person commits the offence of rape if- (a) he or she intentionally penetrates the vagina, anus or mouth of another person with any other part of his or her body or anything else: (b) the other person does not consent to the penetration; or (c) the consent is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or additive capable of taking away the will of such person or in the case of a married person by impersonating his or her spouse.<sup>58</sup> A person convicted of this offence is liable to imprisonment for life except - (a) where the offender is less than 14 years of age, the offender is liable to a maximum of 14 years imprisonment: (b) in all other cases to a minimum of 12 years imprisonment without an option of fine: or (c) in the case of rape by a group of persons the offenders are liable jointly to a minimum of 20 years imprisonment without an option of fine.<sup>59</sup> The Court shall also award

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<sup>55</sup> Sanni Yaya and Bishwajit Ghose, 'Female Genital Mutilation in Nigeria: A Persisting Challenge for Women's Rights' (2018) *Soc. Sci.* Vol 7, 244.

<sup>56</sup> Asadu N, 'Persistence of Female Genital Mutilation in Rural Communities: Example from Igbo-Eze North Local Government Area of Enugu State, Nigeria' (2019) *RUJMASS*, Vol.5 (1), 238.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Section 1(1) VAPP Act.* See also *Section 3(1) Imo State Violence Against Persons (Prohibition) Law 2021.*

<sup>59</sup> *Section 1(2) VAPP Act. Section 3(2) and (3) Imo State Violence Against Persons (Prohibition) Law 2021* provides for punishment of life imprisonment except for a person less than 14 years which is 15 years' imprisonment. In the case of gang rape, the perpetrators are liable jointly and severally to life imprisonment.

appropriate compensation to the victim as it may deem fit in the circumstances.<sup>60</sup> A register for convicted sexual offenders shall be maintained and accessible to the public.<sup>61</sup>

Sexual assault is perceived as a straight issue, perpetrated by men against women. However, sexual violence by women to other women is ignored as a result of Nigeria's law on same-sex relations. A 2005 survey by the California Coalition Against Sexual Assault (CALCASA) concluded that one in three lesbian-identified participants had been sexually assaulted by a woman, and one in four had experienced violence within a lesbian relationship. In Lagos State, a 44-year-old lesbian was arrested and arraigned for sexually assaulting a pregnant woman. The incident reportedly happened at Eniola Aderinlo close Ipaja, Lagos where both women reside. The lesbian identified to be Olamide Joseph, inserted a local made charm into the woman's vagina in a bid to terminate her pregnancy. Olamide Joseph had lured her pregnant victim to her house and molested her sexually after forcing her to the bed, inserted her fingers into her vagina and fondled her without the victim's consent.<sup>62</sup>

*Section 46* of VAPP Act provides that sexual exploitation" occurs where a perpetrator, for financial or other reward, favour or compensation invites, persuades, engages or induces the services of a victim. or offers or performs such services to any other person. It further states 'Sexual intimidation" means - (a) any action or circumstances which amount to demand for sexual intercourse with either a male or a female under any guise, as a condition for passing examination, securing employment, business patronage, obtaining any favour in any form, as defined in this Act or any other enactment; (b) the actual demand for sexual intercourse with either a male or female under any guise. as a condition for passing examination, securing employment. business patronage and or obtaining any favour in any form, as defined in this Act or any other enactment; (c) acts of deprivation, withholding. replacing or short-changing of entitlements, privileges, rights, benefits. examination or test marks or scores, and any other form of disposition capable of coercing any person to submit to sexual intercourse for the purpose of receiving reprieve thereto: or (d) any other action or inaction construed as sexual intimidation or harassment under any other enactment in force in Nigeria.

The Act defines Incest to mean an indecent act or an act which causes penetration with a person who is to his or her knowledge. his or her daughter or son, granddaughter or son, sister or brother, mother or father, niece or nephew aunt/uncle, grandmother or granduncle. A person who knowingly and willfully have carnal knowledge of another within the prohibited degrees of consanguinity and affinity contained in the Schedule to this Act with or without consent, commits incest and is liable on conviction to a minimum term of— (a)10 years imprisonment without an option of fine.(b)where the two parties consent to commit incest, provided that the consent was not obtained by fraud or threat, 5 years

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<sup>60</sup> *Section 1(3) VAPP Act.*

<sup>61</sup> *Section 1(4) VAPP Act.*

<sup>62</sup> 'Lesbian Caught trying to rape pregnant woman in Lagos' <<https://www.ayola.tv/lesbian-caught-trying-to-rape-pregnant-woman-in-lagos-photo/>>. Accessed 28 February 2025.

imprisonment without an option of fine.<sup>63</sup> Young girls who work in restaurants and bars owned by women are often sexually exploited by their employers. They are forced to tend to the sexual advances of customers or lose their jobs. A qualitative study was conducted with female bartenders in drinking bars within Lagos metropolis to explore the nature and patterns of sexual harassments they experienced, as well as their response, coping measures and bar management's positions. Forty-seven interviews were conducted, findings indicated that participants experienced a variety of unwanted sexual behaviour from customers, co-workers and managers, including verbal expressions, signs, gestures and physical harassment that are sexual in nature.<sup>64</sup>

### **3.11 Indecent exposure**

This means the intentional exposure of the genital organs, or a substantial part thereof, with the intention of causing distress to the other party; or that another person seeing it may be tempted or induced to commit an offence and induce another to either massage, or touch with the intention of deriving sexual pleasure from such acts commits an offence liable to upon conviction to a term of imprisonment of not less than 1 year or to a fine not exceeding N500,000 or both.<sup>65</sup> This may stem from invasion of privacy under *Section 37 of the 1999 Constitution* like unauthorized video recording, setting up hidden camera in private spaces like bathrooms and disseminating or sharing recorded video beyond personal spaces without consent.<sup>66</sup> Women are lured into revenge pornography, prostitution, and indecent exposure for money. They are usually conscripted by other women, who use them to make money for themselves.

### **3.12 Intimidation**

This means the uttering or conveying of a threat or causing any person to receive a threat, which induces fear, anxiety or discomfort. On conviction an offender is liable to receive to a term of imprisonment not exceeding 1 year or to a fine not exceeding N200,000. or both.<sup>67</sup>

### **3.13 Trafficking**

"Trafficking" means the supply, recruitment, procurement, capture, removal, transportation, transfer, harboring, sale, disposal or receiving of a person, within or across the borders of the Federal Republic of Nigeria, for use in sexual acts, including sexual exploitation or pornography of any person.<sup>68</sup> On 3<sup>rd</sup> February 2025, the Edo State High Court sentenced three traffickers to 15 years in a correctional centre for human trafficking in the state. The convicts, Nekpen Loveth (39), Oloye Alatosi (42) and one Sunny Caroline were sentenced to five years each by Justice Geraldine Imadabelo. The trio were first arraigned in March 2017 for fraudulent entry of persons and conspiracy to commit an offence of trafficking in

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<sup>63</sup> *Section 2 VAPP Act 2015.*

<sup>64</sup> Aborisade R. A, "'At Your Service': Sexual Harassment of Female Bartenders and Its Acceptance As 'Norm' in Lagos Metropolis, Nigeria" (2020) *Sage Journals* vol 37(1).

<sup>65</sup> *Section 26 (2) and (3) VAPP ACT 2015*

<sup>66</sup> *Cybercrimes Act, 2015.*

<sup>67</sup> *Section 18 (1)*

<sup>68</sup> *Section 46*

persons in contravention to sections 22 (1) and 27 of the Trafficking in persons, (Prohibition) Enforcement and Administration Act of 2015 respectively.<sup>69</sup> Nigerian women and children are trafficked both internally and externally for sex. In the last decade, thousands of women and young girls were trafficked into the sex industry, especially into Europe, so that many people in Nigeria came to equate trafficking with prostitution alone and not with other forms of labor. Traffickers recruit girls from countryside markets, salons and other public places. Usually such persons are instructed not to tell their parents that they are planning to travel out of the country. With the help of corrupt immigration officers, traffickers switch pages from stolen passports having valid visas with those of the trafficked persons, giving fake names, ages and other particulars. The trafficked persons are then coached to claim that they have been traveling in and out of the country, whereas they may never have even left their villages. Upon arriving at their destinations, they are deprived of their travel documents and made to sign agreements to pay back their Madams.<sup>70</sup> In addition, prior to their travels or reaching their destinations trafficked persons' body parts such as pubic hairs, finger nails, menstrual flows, as well as underwear and photograph are taken from them and sent to Juju priests in Nigeria to ensure obedience. Many of the girls are also coerced with threats to kill their parents and other relatives if they do not cooperate.<sup>71</sup>

Women are also trafficked to work as domestic helps within and outside Nigeria. Girls, as young as seven years old, are brought to places like Lagos and Ibadan and given out as domestic servants, beggars or street traders. Elizabeth, a native of Benue State in the Middle Belt of Nigeria, never had any form of education because her parents were poor. Her brother brought her to Lagos along with other girls for domestic service work. She is employed by a Madam to work in a food joint. With this "Madam" she earns ₦2, 000 monthly. The money is kept by her brother for her father in Benue State, for the upkeep of the family. Elizabeth wakes up at 4.30 a.m. and sleeps by 1.30 a.m. She is running a 21-hour work day, 7 days a week. She is also responsible for taking care of the house on return from the restaurant, often her employer beats and curses at her.<sup>72</sup>

According to UNESCO, it was discovered that States like Abia, Ebonyi and Lagos has many clinics and orphanages where doctors, nurses, and orphanages caretakers "help" pregnant teenagers, and other women who do not want to keep their babies after birth. Females are usually perpetrators of these offences. They care for these women during pregnancy and provide money and shelter. Upon delivery the babies are sold to couples who pay a premium for the babies of their choice. The young mothers are paid off after having signed papers repudiating their claims on the babies or swearing oaths of secrecy. Officials, recently handled a case of two sisters who approached a doctor in Lagos with an offer to sell the unborn child of one of the sisters. They demanded ₦500,000 and ₦300,000 for a baby boy and baby girl respectively. Later, they raised the price of a baby girl to

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<sup>69</sup> Usman U. A, '3 traffickers jailed 15 years in Edo' <[https://dailytrust.com/3-traffickers-jailed-15-years-in-edo/#google\\_vignette](https://dailytrust.com/3-traffickers-jailed-15-years-in-edo/#google_vignette)>. Accessed 28 February 2025.

<sup>70</sup> Manbe D.A, 'Trafficking of Women and Children in Nigeria: A Critical Approach' (2016) *American International Journal of Social Science* Vol. 5(3), 24.

<sup>71</sup> *Ibid.*

<sup>72</sup> *Ibid.*



₦400,000 because of “the rising cost of living.” Another case was that of the Good Shepherd Orphanage in Lagos which was reported to be engaged in illegal adoption of babies as well as sheltering young pregnant girls and selling off their babies at birth. Many of these babies sold cannot be traced and one cannot determine what became of them.<sup>73</sup>

### 3.14 Kidnapping and abduction

*Section 10(1)* of VAPP Act provides that a person who deprives another of his or her liberty, except pursuant to a court order commits an offence and is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding N500,000.00 or both. Women are often informants and accessories to male kidnapers who abduct other women.<sup>74</sup> On 7<sup>th</sup> February 2024, a suspected female kidnapper was apprehended by troops from the 93 Battalion under the 6 Brigade of the Nigerian Army in Taraba as she was attempting to collect ransom for an abducted victim. The suspect, Janet Igohia, 31, was said to be arrested after picking up ₦1.5m. This was contained in a statement by the Acting Assistant Director, 6 Brigade Army Public Relations, Lieutenant Oni Olubodunde. Lieutenant Olubodunde said the troops received information on January 25, 2024, from sources on the activities of extremist groups and insurgents around Chanchanji and Sai communities on their plans to move to a drop zone where relatives of abducted victims were directed to drop ransom money. Based on this information, troops deployed at Chanchanji laid in wait at the suspected area and at about 10:00 am, Janet Igohia age 31 was arrested after picking up the sum of One Million, Five Hundred Thousand Naira (N1,500,000.00) only being ransom payment for an abducted victim. According to the statement, Igohia revealed that she is presently married to Voryor Gata, a notorious criminal. According to her, she had previously been married to high profile criminals such as late Terkibi Gemaga AKA Mopol, a notorious kidnapper, who was killed by troops 5 years ago.<sup>75</sup>

The Lagos State Police Command reported the arrest of a suspected female kidnapper and rescued three children from her on 10<sup>th</sup> March 2024. The Command’s Public Relations Officer, SP Benjamin Hundeyin, said that the case was reported on Monday to Area M Police Command, Idimu by one Segun, said to be a headmaster of a school (name not mentioned), located at Ijegun area of Lagos. He said the headmaster reported that some unknown persons invaded the school and kidnapped three students in the school premises. The police spokesperson said that upon the information, detectives from the area moved immediately to the school. The culprits were given a hot chase, where one of the suspects, a 40-year-old female (name withheld), who allegedly kidnapped three pre nursery children was arrested. The three children were rescued. However, the other unknown suspects escaped with an unregistered motorcycle on sighting the police.<sup>76</sup>

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<sup>73</sup> (www.unesdoc.unesco.org/images/00 14).

<sup>74</sup> See also *Section 13(2) Imo State Violence Against Persons (Prohibition) Act 2021*.

<sup>75</sup> ‘Army arrests female kidnapper in Taraba’ <<https://punchng.com/army-arrests-female-kidnapper-in-taraba/>>. Accessed 1 March 2025.

<sup>76</sup> Nseyen N, ‘Police Arrest Female Kidnap Suspect Rescue, 3 Children in Lagos’ <<https://dailypost.ng/2024/03/12/police-arrest-female-kidnap-suspect-rescue-3-children-in-lagos/>>. Accessed 1 March 2025.

### **3.15 Abuse of vulnerable groups**

“Vulnerable groups” means women, children, persons living under extreme poverty persons with disability, the sick and the elderly, ethnic and religious minority groups.<sup>77</sup> Sexual minorities are arguably vulnerable groups in Nigeria as it is against the general human rights to abuse them.<sup>78</sup> A person who takes undue advantage of persons living with disability or exploits such a person’s vulnerability by promising to provide assistance but instead engages in any conduct or sexual act, to the detriment of the person’s sexual, psychological, mental, emotional, or physical wellbeing, commits an offence and is liable on conviction to a term of imprisonment not exceeding 14 years.<sup>79</sup>

One of the ways other females can take undue advantage of persons with disability is organized begging. Physically challenged or disabled persons, such as the blind and crippled, are lured into the begging business in major Nigerian cities, such as Lagos, Ibadan, Kano and Kaduna, and Abuja. This practice has spread all over the country. Contractual beggars are often adults of both sexes.<sup>80</sup> According to research conducted by UNESCO, physically challenged or handicapped persons are hired on a daily basis for begging assignments with a token fee of often no more than ₦500. There are rampant abuses involved with this kind of arrangement. The ‘investor’ only releases the vulnerable person when he has made sufficient profit. The physically challenged are often carried on their back, in a wheel burrow or wheel chair and taken around town from sunrise to sunset, often under harsh weather and dangerous traffic conditions. Furthermore, experienced adult beggars conscript and compel children under their custody to join their begging business without any financial reward other than the daily meals that may be handed out to them along the streets. These vulnerable children who lead beggars across the major cities of Nigeria are denied access to formal education.<sup>81</sup> All these are in contravention of *Child Rights Act*, 2003 and the *Discrimination Against Persons with Disabilities (Prohibition) Act 2018*.

### **3.18 Attempts, incites, aids, abets, or counsels, receives or assists, accessory**

The law criminalizes attempts, aiding, abetting, counselling or assisting the commission of any of the offences provided in the *VAPP Act and Imo State Violence Against Persons (Prohibition) Act 2021*. This relates to all crimes such as forced financial dependence or

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<sup>77</sup> Section 46 VAPP Act and Section 2 Imo State Violence Against Persons (Prohibition) Act 2021.

<sup>78</sup> The UN has not accepted the controversial *Yogyakarta Principles* set out in Indonesia in 2006, Principle 5 of which provides that everyone regardless of equal orientation or gender identity, has the right to security of the person and to the protection of the state against violence or bodily harm, whether inflicted by government officials or by any individual or group.

<sup>79</sup> Section 8 Imo State Violence Against Persons (Prohibition) Act 2021. See also *State of Arizona.v. Denise Janelle Snow-Ingram* Case: CR2015-001100-002, Superior Court of Arizona, USA.

<sup>80</sup> Manbe *op.cit*.

<sup>81</sup> *Ibid*.

economic abuse,<sup>82</sup> eviction of spouse,<sup>83</sup> sexual assault,<sup>84</sup> harmful traditional practices,<sup>85</sup> and intimidation.<sup>86</sup> For instance, a fertility clinic without following the due process could be assisting a female offender in illegal harvesting of gametes for *in vitro fertilization* (IVF) procedure. In the South African case of *Ex Parte MS*<sup>87</sup> it was held to be a clear contravention of the children's act to apply for confirmation of a surrogacy agreement before the High Court when the Surrogate was already 33 weeks pregnant. From *Section 7 of the Imo State Protection of Babies Law No 19 of 2017* which is a Bill before the State House of Assembly, worship centers and Coordinators of unlicensed establishments or 'baby factories' may be accessories. Recently, *Anambra State Homeland Security Law, 2025* criminalized misleading public by purporting to wield supernatural powers as *Eze Nwanyi* female traditional religious practitioners<sup>88</sup> or use of religious places to commit offences as a female Pastor.<sup>89</sup> Often times, the roles played by females in committing violence against other females, is the role of accessories to men they are loyal to as in the case of *Begum v. Home Secretary*<sup>90</sup> where the court dismissed her appeal against the decision of the Defendant to deprive her of British citizenship and right to enter the territory after she voluntarily left for Syria to marry a member of a terrorist organisation- Islamic State of Iraq and Syria (ISIS) for reasons of national security.

### 3.19 False statement

A person who willfully makes false statement, whether oral or documentary, in any judicial proceeding under this Act or with the aim of initiating investigation or criminal proceedings under this Act against another person commits an offence under this Act and is liable on conviction to a fine of N200,000 or a term of imprisonment not exceeding 12 months.<sup>91</sup> Females out of spite may make false statements in order to get another female detained.<sup>92</sup>

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<sup>82</sup> *Section 12 (2)-(4)*

<sup>83</sup> *Section 9(2)-(4)*

<sup>84</sup> *Section 2(2)* A person who attempts to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not exceeding 3 years or to a fine not exceeding or both. (3) A person who incites, aids, abets, or counsels another person to commit the act of violence provided for in subsection (1) of this section commits an offence and is liable on conviction to a term of imprisonment not exceeding 3 years or to a fine not exceeding N200,000.00 or both. (4) A person who receives or assists another who, to his knowledge commits an offence under subsection (1) of this section, is an accessory after the fact and is liable on conviction to a term of imprisonment not exceeding 3 years or to a fine not exceeding or both.

<sup>85</sup> *Section 15 (2)* attempts is liable to imprisonment not exceeding 1 year or to a fine not exceeding N200,000.00 or both and in subsection (3) inciting, aiding, abetting and counselling another to commit the act of violence attracts imprisonment not exceeding 1 year or to a fine not exceeding N200,000.00 or both. Per *Section 15(4)* A person who receives or assists another who, to his or her knowledge, committed the offence provided for in subsection (1) of this section is an accessory after the fact and is liable on conviction to a term of imprisonment not exceeding 6 months or to a fine not exceeding N1 00,000.00 or both.

<sup>86</sup> *Section 18 (2) (3) and (4)*- accessory and attempts attracts imprisonment not exceeding 6 months or to a fine not exceeding NI 00,000.00 or both while inciting, aiding, abetting, or counselling another person to commit the act of violence 'liable on conviction to a term of imprisonment not exceeding 6 months or to a fine not exceeding NI 00,000.00 or both.

<sup>87</sup> (48856/2010) (2014) ZAGPPHC 457.

<sup>88</sup> *Section 18 (3)*

<sup>89</sup> *Ibid. Section 19 (1)*.

<sup>90</sup> [2021] UKSC 7

<sup>91</sup> *Section 8*.

<sup>92</sup> See also *Section 8 Imo State Violence Against Persons (Prohibition) Act 2021*.

### **3.20 Environmental Offences**

A woman may inflict injury upon others by actively or negligently disobeying environmental laws that will invariably affect the female and other subsets of the general population. This includes improper disposal of sanitary towels, open defecation, biodiversity loss, clogging of gutters by restaurants, pollution, poor personal sanitation and disposal of wastes *et cetera*. The *Maastricht Principles 2023* on the human rights of future generations recognize that States must impose reasonable restrictions on activities that threaten the enjoyment of human rights by future generations.

### **3.21 Causes of Female-to-Female Violence**

#### **1. Societal Expectations:**

Women are often socialized to compete with each other for limited resources, including men's attention and economic opportunities. In many societies, traditional gender roles and cultural norms dictate how women should behave and interact with each other. These norms often emphasize competition and rivalry among women, particularly in areas such as beauty, social status, and relationships. This can lead to jealousy, envy, and aggressive behaviour.

#### **2. Power Dynamics:**

Women may also perpetrate violence against each other as a means of exerting power and control in relationships. From a young age, women are often socialized to view other women as rivals rather than allies. This socialization can lead to internalized beliefs that justify or normalize violence against other women.

#### **3. Trauma and Stress:**

Women who have experienced trauma and stress may be more likely to perpetrate violence against each other. Some women experience post-partum depression and trauma which may turn them into violent person.

#### **4. Financial needs:**

In situations where resources and opportunities are limited, women may compete with each other for jobs, promotions, or financial stability. This competition can lead to conflicts and aggressive behaviour, as women vie for limited opportunities. For instance, this could lead to wilfully making false statements against another woman.

#### **5. Poverty**

Women living in poverty may resort to aggressive or violent behaviour as a survival strategy. This can include engaging in criminal activities or exploiting other women to secure financial resources like sexual exploitation, intimidation, restriction of liberty, operating baby factories etc. Poverty creates immense economic stress within households and communities. Especially in polygamous homes, this stress can lead to heightened tensions and conflicts among women, who may compete for limited resources and opportunities. Financial strain can exacerbate conflicts, often resulting in violent disputes.

## **6. Patriarchal societies**

Patriarchy often places women in subordinate positions, leading to internalized misogyny. Women may adopt and enforce patriarchal values, resulting in the policing of other women's behaviour. This can contribute to forced marriages, FGM in order to keep a woman a virgin until marriage, sexual exploitation to satisfy the sexual urges of men etc.

### **3.22 Challenges in Implementing the VAPP Act**

#### **1. Lack of Awareness:**

Many women are unaware of the VAPP Act and its provisions therefore when they fall victim of sexual violence by other women, they might not seek the required justice.

#### **2. Cultural and Social Barriers:**

Cultural and social barriers can prevent women from reporting cases of female-to-female violence. In cultures where harmful widowhood practices and Female Genital Mutilation are norms, women might not report these cases. This is coupled with the role of traditional authorities and cultural practices in undermining the law.

#### **3. Limited Access to Justice:**

Women may face challenges in accessing justice, including lack of access to courts and legal representation. This may be as a result of financial constraints or the sluggish nature of our criminal justice system.

#### **4. Fear of retaliation and victim-blaming:**

Victim blaming is very common in Nigeria especially towards victims of sexual abuse. This is one challenge to the implementation of VAPP Act. Victims may fear to report cases of violence so as not to be blamed for their ordeal. Furthermore, for fear of retaliation, women keep mum on the violence they face in the hands of other women.

#### **5. Institutional Challenges:**

Institutional challenges that inhibit the effective implementation of the VAPP Act include; corruption, underreporting, and lack of enforcement of the law. The very absence of forensic investigations in to most gender-based violence cases is a big problem.

## **4.0 RECOMMENDATIONS**

### **1. Widespread Awareness Campaigns:**

Increase public awareness about the provisions of the VAPP Act and the rights it protects. Educational campaigns can help inform the public and encourage victims to seek help. government at all levels and concerned agencies should make efforts to regularly educate the public by exposing the ignorance, superstition, and irrationality that underlie the belief in and practice of ritual killing. This can be done through organizing awareness and enlightenment campaigns in schools, orientation camps, work places, markets and community meetings.

**2. Training and Capacity Building:**

Provision of training and capacity building for law enforcement officers, healthcare providers, and other relevant professionals on the provisions of the VAPP Act and how to handle cases of violence sensitively and effectively.

**3. Strengthening Support Services:**

Establishing and enhancing support services for victims, including shelters, counseling centers, legal aid, and medical care. Ensure these services are accessible and adequately funded.

**4. Community Engagement:**

Engage community leaders, religious leaders, and local organizations in efforts to prevent violence and support survivors. Community-wide approaches can help change harmful norms and promote gender equality.

**5. Monitoring and Evaluation:**

Implementation of mechanisms for monitoring and evaluating the effectiveness of the VAPP Act. Collect data on cases of violence and assess the impact of the Act on reducing violence and supporting victims. Female perpetrators should be entered in the Sex Offenders Register.

**6. Legal Reforms:**

There is need for continuous review and updating of the legal framework to address emerging forms of violence and ensure the VAPP Act remains relevant and effective. This also includes the Violence Against Person (Prohibition) Law of other States in Nigeria. For instance, remote hearings are needed to protect victims of heinous crimes from perpetrators in the court. The Nigerian President is yet to assent to *The Older Persons (Rights and Privileges) Bill, 2021* of the 10<sup>th</sup> National Assembly which made holistic provisions for geriatric care that is largely handled by women in Nigerian families. In Imo State for instance, Domestic Workers,' Geriatric Center Registration and Surrogacy laws are urgently needed to curb abuse of women on other women.

**7. Collaboration with Stakeholders:**

There is need to foster collaboration between government agencies, non-governmental organizations (NGOs), and community-based organizations to provide comprehensive support to victims and coordinate efforts to prevent violence. The National Agency for the Prohibition of Trafficking in Persons and Other related Matters (NAPTIP) is mandated to administer the provisions of the VAPP Act and collaborate with the relevant stakeholders including faith based organizations<sup>93</sup> and service providers or voluntary association registered with the objective of protecting the rights and interests of victims of violence by any lawful means including providing of legal aid, medical, financial or other assistance. They shall register with the State Government as accredited service

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<sup>93</sup> Section 44.

providers with the latter drawing up guidelines for their operation and circulating the register to all police stations, protection officers and the courts.<sup>94</sup>

#### **8. Enforcement of Protection Orders:**

"Protection order" means an official legal document, signed by a Judge that restrains an individual or State actors from further abusive behavior towards a victim.<sup>95</sup> *Section 41(1)* of the VAPP Act provides that the appropriate Government Ministry shall appoint such number of Protection Officers in each Area Council as it may consider necessary, to assist the Court in the discharge of its duties under this Act to co-ordinate the activities of the police and the accredited service providers in his or her Area Council to ensure that the victims or survivors of violence- (a) have easy access to accredited service providers; (b) have easy access to transportation to an alternative residence or a safe shelter, the nearest hospital or medical facility for treatment, if the complainant so requires; (c) are able to collect their belongings or properties from a shared household or her residence, if the complainant so requires; (d) are able to access the court for orders under this Act; or (e) have access to every possible assistance in the service of interim protection order on the respondent, and the enforcement of any order that may have been made by the court under the Act. It is recommended that it is necessary to ensure that victims can easily obtain protection orders to prevent abusers from contacting or approaching them. These orders can provide immediate relief and safety for victims.

#### **9. Victim Compensation:**

There is need to implement provisions for financial compensation to victims, ensuring they receive justice and support for their recovery.

#### **10. Addressing Barriers:**

There is need to identify and address barriers that prevent victims from seeking help, such as cultural stigmas, fear of retribution, and lack of trust in the legal system.

### **5.0 CONCLUSION**

In conclusion, female-to-female violence in Nigeria is a complex and pervasive issue that has far-reaching implications for individuals and society as a whole. *The Violence Against Persons (Prohibition) Act 2015* and other States Violence Against Persons (Prohibition) Laws serve as a crucial legislative tool in addressing this form of violence by providing a comprehensive legal framework for the protection of victims and the prosecution of offenders. The Act's provisions for various forms of violence, including physical, sexual, psychological, and economic abuse, emphasize the need for a multifaceted approach to combat this issue.

While the VAPP Act represents a significant step forward, effective implementation and enforcement are essential to ensure its success. This requires collaboration between government agencies, non-governmental organizations (NGOs), community leaders, and other stakeholders to raise awareness, provide support services, and promote gender

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<sup>94</sup> *Section 40 (1) and (2)*

<sup>95</sup> *Section 46 VAPP Act. See also Sections 32 – 41 of Imo State Violence Against Persons (Prohibition) Act 2021.*

equality. Addressing the root causes of female-to-female violence, such as harmful cultural practices, economic dependence, and social norms, is crucial in creating a safer and more equitable society. By leveraging the VAPP Act and adopting a holistic approach, Nigeria can make meaningful progress in reducing female-to-female violence and supporting the well-being and empowerment of women. Ultimately, fostering a culture of respect among the women themselves for each other, equality, and non-violence will contribute to the overall development and stability of the nation.