

COURTS SANCTITY (PRESERVATION) BILL, 2020

ARRANGEMENT OF CLAUSES

Clauses:

1. Immunity from litigation
2. Obedience to court orders and decisions
3. Arrest in court or its premises
4. Punishment for arrest in court or its premises
5. Obstruction of judicial officer or officer of court
6. Offences against obstruction of judicial officer or officer of court
7. Bribery of judicial officer or officer of court
8. Acceptance of bribe by judicial officer or officer of court
9. Obtaining employment into Bench by fraud
10. Impersonation of judicial officer
11. False report of court proceedings
12. Disclosure of court judgment
13. Power to order arrest
14. Removal of a person from court or its premises
15. Interpretation
16. Citation

A BILL

FOR

AN ACT TO PRESERVE THE SANCTITY AND AUTHORITY OF COURT AS A SACRED INSTITUTION IN ORDER TO EFFECTIVELY DISCHARGE ITS FUNCTIONS AND EXERCISE THE JUDICIAL POWERS CONFERRED ON IT UNDER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA AND OTHER STATUTES; AND FOR OTHER RELATED MATTERS

Sponsored by Hon. Onofio Akpan Luke

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

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| <p>1 1. No criminal or civil proceeding shall be instituted against a</p> <p>2 judicial officer or officer of court in respect of words spoken or written at the</p> <p>3 sitting or proceedings of court.</p> | <p>Immunity from
litigation</p> |
| <p>4 2.-(1) Every court order and decision shall be binding on all</p> <p>5 persons, authorities and government.</p> | <p>Obedience to
Court orders and
decisions</p> |
| <p>6 (2) A person who fails, refuses or ignores court orders or decisions</p> <p>7 commits an offence and is liable on conviction to a term of at least five years</p> <p>8 imprisonment.</p> | |
| <p>9 (3) The Attorney General of the Federation and Attorneys General</p> <p>10 of States shall ensure that court orders and decisions are complied with.</p> | |
| <p>11 3.-(1) No judicial officer, officer of court or any person shall be</p> <p>12 arrested in court or its premises.</p> | <p>Arrest in court
or its premises</p> |
| <p>13 (2) No warrant of arrest shall be executed in court or its premises.</p> | |
| <p>14 (3) Notwithstanding anything contained in subsections (1) and (2),</p> <p>15 a judicial officer in charge of court may:</p> | |
| <p>16 (a) order for an arrest of person who commits crime in court or its</p> <p>17 premises; or</p> | |
| <p>18 (b) permit the execution of warrant of arrest on any person that is</p> | |

	1	in court or its premises.
Punishment for arrest in court or its premises	2	4. A person who arrests or executes warrant of arrest in court or its
	3	premises without first seeking and obtaining the permission of a judicial officer
	4	in charge of the court commits an offence and is liable on conviction to a fine of
	5	at least N500,000 or term of at least one year imprisonment or both.
Obstruction of a judicial officer or officer of court	6	5. A Judicial officer or officer of court shall not be obstructed or
	7	hindered from entering or leaving chambers, court or its premises.
Offences against obstruction of judicial officer or officer of court	8	6.-(1) No person shall-
	9	(a) hinder or obstruct the movement of a judicial officer or officer of
	10	court into court premises, courtroom or chambers;
	11	(b) hinder a judicial officer or officer of court from performing his
	12	judicial, administrative or legal functions;
	13	(c) assault a judicial officer or officer of court in the course of
	14	performing his judicial, administrative or legal functions or incites any other
	15	person so as to assault a judicial officer or officer of court or any person
	16	assisting a judicial officer or officer of court;
	17	(d) interfere or disobey the order made by a judicial officer or officer
	18	of court performing his judicial, administrative or legal functions; or
	19	(e) disturb or disrupt court proceedings or cause disturbance in and
	20	around court premises.
	21	(2) Any person who does any of the acts mentioned in subsection 1
	22	commits an offence and is liable on conviction to a fine of at least N1, 000, 000
	23	or a term of at least five years imprisonment or both.
Bribery of judicial officer or officer of court	24	7.-(1) No person shall-
	25	(a) give, offer or promise a judicial officer or officer of court bribe,
	26	compensation, reward or benefit of any kind to influence judgment, ruling,
	27	decision or any pending application or matter before a court; or
	28	(b) threaten to make use of force, violence, restraint or inflict any
	29	injury or damage on a judicial officer or officer of court to compel, force or
	30	induce the doing of favour in any application or matter before a court.

1 (2) A person who does any of the acts mentioned in subsection 1
2 commits an offence and is liable on conviction to a fine of at least
3 N1,000,000 or a term of at least two years imprisonment or two.

4 8. A judicial officer or officer of court who accepts or agrees to
5 accept bribe or attempts to obtain for himself or for other person any bribe,
6 compensation, reward or benefit of any kind for influencing judgment,
7 ruling, decision, pending application or matter commits an offence and is
8 liable on conviction to a fine of at least N2,000,000 or a term of at least two
9 years imprisonment or both.

Acceptance of
bribe by judicial
officer or officer
of court

10 9. Any person who knowingly uses or attempts to pass off any
11 forged or false certificate, character, letter, or other document for the
12 purpose of obtaining employment into the Bench, or who on applying for
13 employment, makes any false answer to any question which is put to him by
14 an interviewer, commits an offence and is liable on conviction to a fine of at
15 least N2, 000, 000 or a term of at least two years imprisonment or both and
16 shall refund all salaries and allowances received in the course of his
17 employment.

Obtaining
employment into
Bench by fraud

18 10. A person not being a judicial officer who puts on or assumes
19 either in whole or in part, the dress, name, title or description of any judicial
20 officer or in any way pretends to be a judicial officer, for the purpose of
21 obtaining favour, benefit, gain or advantage, commits an offence and is
22 liable on conviction to a fine of at least N500, 000 or a term of at least one
23 year imprisonment or both.

Impersonation
of judicial officer

24 11. A person who falsely represents or reports proceedings of
25 court or publish a false statement with intent to scandalise or defame the
26 court, judicial officer or officer of court commits an offence and is liable on
27 conviction to a fine of at least N500, 000 or a term of at least 1 year
28 imprisonment or both.

False report of
court proceedings

29 12. Any officer of court or person who discloses a judgment or
30 ruling of court of law or tribunal for or without reward which is yet to be

Disclosure of
court judgment

	1	delivered commits an offence and is liable to conviction to a fine of at least
	2	N1,000, 000 or a term of at least one year imprisonment or both.
Power to order arrest	3	13. A judicial officer may, with or without warrant of arrest, order an
	4	arrest or arrest any person:
	5	(a) who commits an offence against the provisions of this Bill; or
	6	(b) within the chambers, court or its premises whom he reasonably
	7	suspects of having committed an offence against the provisions of this Bill.
Removal of stranger	8	14. A judicial officer may at any time order for the removal of a
	9	stranger or any person from court or its premises.
Interpretation	10	15. In this Bill-
	11	"chambers" means the office of a judicial officer within the court premises;
	12	"court" means a court of law or tribunal established under the Constitution of
	13	the Federal Republic of Nigeria or created by statute;
	14	"judicial officer" includes justices, judges, magistrates or grand khandis or any
	15	judicial officer presiding over any court or tribunal established under the
	16	Constitution of the Federal Republic of Nigeria or created by statute;
	17	"officer of court" includes legal practitioners, assistant to judicial officers,
	18	court registrar, court clerk, sheriff, bailiff or any other officer assisting court or
	19	judicial officer in the discharge of any function;
	20	"premises" includes chambers, courtroom, the offices of a court, the entire
	21	building in which a court is situated and any forecourt, yard, garden, enclosure
	22	or open space adjoining or appertaining to court.
Citation	23	16. This Bill may be cited as the Courts Sanctity (Preservation) Bill,
	24	2020.

EXPLANATORY MEMORANDUM

This Bill seeks to preserve the sanctity and authority of court as a sacred institution in order to effectively discharge its functions and exercise the judicial powers conferred on it under the Constitution of the Federal Republic of Nigeria and other statutes.