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**EKITI STATE MINISTRY OF
EDUCATION SCIENCE & TECHNOLOGY**



**GENDER BASED
VIOLENCE (GBV)
POLICY**



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1. INTRODUCTION

Ekiti State Government is continually strengthening the Ministry of Education, Teaching Service Commission, State Universal Basic Education Board, Adult and Non- formal Education, Special Education and Board for Technical and Vocational Education for effective delivery of quality education.



This Ministry and MDAs have a clear mandate to formulate policies, coordinate, implement, supervise and monitor schools for conducive learning environment free from all forms violence, while ensuring safe learning environment.

School-Related Gender Based Violence (SRGBV) refers to acts or threats of Sexual, Physical, Psychological or Economic

violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes enforced by unequal power dynamics. Violence in schools is widespread, and discriminatory gender norms are one of the key-driving factors. SRGBV violates children's rights which is a significant barrier for girls' and boys' access to and participation in education. There is the need to create a safe, violence free learning environment where boys and girls have equal opportunities. In recent times, there has been alarming and disturbing rates of SRGBV in the State. This has to be addressed comprehensively.

2. **POLICY STATEMENT**

In line with the official position of the State Government on the implementation of the Ekiti GBV law (2019), Sexual Violence, against Children Compulsory Treatment and Care law 2020 and The Victims Charter 2020, our policy is predicated on a victim centred approach to justice. All pupils and students of schools in Ekiti State shall have equal access to justice, treatment and care, and education for all victims of sexual and gender-based violence in our schools.





3. **DEFINING GENDER BASED VIOLENCE (GBV)**

GBV is violence directed against a person because of that person's gender or violence that affects persons of a particular gender disproportionately. Gender based violence can take different forms and affects mostly against women and girls. Violence against a person is understood as a violation of human right and a form of discrimination against women/ girls and shall mean all acts of GBV that result in or likely result in:

- Physical harm
- Sexual harm
- Psychological harm
- Economic harm

3.2: TYPES AND FORMS OF GBV

- Physical Violence – all forms of physical abuse such as punching, kicking, shoving, slapping, assault with objects, acid baths, stabbing, female genital mutilation/cutting etc.
- Sexual Violence – all forms of sexual attack or abuse such as defilement of the girl child, rape including marital rape, attempted rape, indecent assault, forced/early marriage, unwanted touching, forced pregnancy and forced prostitution/sexual slavery, sexual harassment/coercion and exploitation.
- Psychological Violence – all forms of emotional abuse including verbal attacks (name calling), threats of violence, humiliation, denial or discrimination on the basis of sex, stalking on social media, recording and posting acts of violence or compromising images, etc
- Economic Violence – all forms of economic denials like withholding of financial support, refusal to provide necessities and prevention from earning an income.





3.3: CAUSES OF GBV

GBV is deeply rooted in discriminatory cultural beliefs and attitudes that perpetuate gender inequality and powerlessness, in particular of women and girls. Gender stereotypes are often used to justify violence against women

3.4: EFFECTS OF GENDER BASED VIOLENCE

Victims of GBV can suffer emotional distress, low self-esteem and depression, sexual and reproductive health consequences, including forced and unwanted pregnancies, unsafe abortions, traumatic fistula, sexual transmitted infections including HIV, and even death. This violence also has a serious impact on educational outcomes, with many students avoiding school, achieving below their potential, or dropping out completely.

4. ROLES OF THE MINISTRY OF EDUCATION

The Ministry is committed to full compliance with all applicable laws governing GBV in Ekiti State. The Ministry of Education shall:

- Provide an education that is gender sensitive at all levels in pursuance of state policy on GBV
- Ensure gender equity and social inclusion in the delivery of education programmes in Ekiti State.

5. **MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY DIRECTIVES TO ALL SCHOOLS IN EKITI STATE ON SCHOOL-RELATED GENDER BASED VIOLENCE**

All schools in Ekiti State shall have a Gender Desk Officer who is separate from the school Guidance & Counsellor, who would be well trained/grounded in all aspects of sexual and gender-based violence. The Gender Desk Officer shall receive reports of GBV cases from pupils/students and shall liaise with the school management between the “victim” and the appropriate authorities and agencies empowered by Law to ensure the protection of the rights of the pupil(s)/student(s) in line with the provisions of the Ekiti GBV (prohibition) Law 2019.

The following must be strictly adhered to in all schools in Ekiti State:

- i. There should be GBV awareness campaigns by Principals, Head Teachers and Teachers.





- ii. Education authorities should encourage the teaching of Sex Education in schools.
- iii. Education authorities should carry out background checks on teachers in their employ, to ensure that there are no teachers with previous records of sexual assault/violence.
- iv. Parents should submit names and details of approved persons for drop off/pick up of their children to the school authorities. Parents should refrain from using random motorcyclists/drivers to take their children to school.
- v. All Security Officers/Gate Men in schools should be routinely screened and supervised to ensure minimal contact with students.
- vi. There should be a Whistle Blower drop box in each school where confidential complaints about sexual harassment can be lodged.

- vii. Male teachers are to be discouraged from asking female students to stay behind to run errands such as cooking or cleaning for them.
- viii. All teachers and students should be prohibited from using sexist and derogatory language.
- ix. All students should be prohibited from using social media to harass and intimidate one another. The exchange of nude photographs, viewing of pornography, and so on is strictly prohibited.
- x. Adequate and safe toilet facilities should be in place to ensure that girls are not endangered in their quest for privacy.
- xi. Teaching of Security Education should take place in line with the provision of Security Education in the National Values Curriculum.





- xii. Installation of Closed-Circuit Television (CCTV) and school guards to patrol the schools.
- xiii. Allotting an hour in the school time table for anti-GBV related co-curricular activities on Fridays from 12noon to 1:00pm.
- xiv. Students must report cases of bullying, attempted rape and rape to the School Principal immediately.
- xv. School authorities should assign monitoring/ supervisory roles for teachers, prefects, parents in the prevention of GBV.
- xvi. Principals are to ensure formation of Anti-GBV Clubs in schools.
- xvii. School Principals/Head teachers should take responsibility for the security of their school compound by preventing illegal entry into the schools.
- xviii. Ministry of Education should produce fliers, posters, sign posts in conspicuous places in schools with NO To GBV inscriptions.

- xix. Ministry of Education should ensure that all schools have Toll Free lines for reporting of GBV cases
- xx. Any school rule/regulation that will prevent or discourage a pupil/student from reporting GBV within the school premises should be abolished.
- xxi. Schools should regularly appraise Parents and Guardians on measures in place to protect children in schools and seek their cooperation.

6. RIGHTS OF VICTIMS

The way a victim is treated cannot make up for what the victim has suffered, the aim is to make sure that the unpleasant effects of the crime are not made worse by what happens later. Ultimately all GBV 'Victims' need to be supported to become Survivors.



Victims of crime, generally are entitled to;

- i. Report crimes of any form of violence against them to any person in authority.
- ii. Be treated fairly and professionally.
- iii. Be treated with dignity and respect.
- iv. Be treated with empathy and not pity.
- v. Be understood & to understand, in his/her first language, where necessary.
- vi. Be given or receive information.
- vii. Be given the choice of reporting orally or in writing.
- viii. Be informed about available support and opportunity to bring someone to give support.
- ix. Privacy and confidentiality within the confines of the law.
- x. Let the Ministry of Education and other service providers know if the victim is not happy with their service.

7. PROTOCOL FOR GBV REPORTING IN SCHOOLS

Whether in the school or in the private life (home) of any pupil or student in the state, the following steps shall be taken to report such GBV cases.

- i. Student/pupil should report to the Gender Desk Officer, Guidance Counsellor/ Head teacher/Principal.

Note:

- a) Where the GBV is of a sexual nature, the Gender Desk Officer shall, with the leave of the headmaster/principal report immediately at the nearest police station and furnish them with the detailed information of the perpetrator(s), to prevent the perpetrator from evading arrest/being apprehended.
 - b) If not of a sexual nature, the Gender Desk Officer, shall with the leave of the headmaster/principal invite the perpetrator for a discussion and refer the matter to the head teacher/principal for intervention.
- ii. Principal/Head Teacher should report to the Area Education Officer/Education Secretary/Tutor General or directly to the Ministry of Education, Teaching Service Commission/ SUBEB and Nigeria Police.

Note:

- a. Where the GBV is of a sexual nature, the Headteacher/Principal shall within 24hrs of the receipt of such report, send a detailed report of the incident to their appropriate MDAs and copy 1) the Ministry of Education 2) the Ministry of Women Affairs and 3) the Ministry of Justice.
- b. If not of a sexual nature, the Head Teacher/Principal shall forward a detailed written report of the matter to the Gender Desk Officer of the State Universal Basic Education Board (SUBEB) or the Teaching Service Commission (TESCOM) as the case may be and copy the Permanent Secretary of the MDAs.

- iii. Area Education Officer/Education Secretary should report to MOE/TSC/SUBEB
- iv. TSC/SUBEB should report to the Ministry of Education
- v. Ministry of Education should report to the Ministry of Justice and Ministry of Women Affairs.
- vi. Students should also be able to use Toll Free lines provided by the Ekiti State Gender Based Violence Management Committee to report cases.
- vii. In all cases, reports shall be delivered to the appropriate Ministries in an envelope marked “Confidential and Urgent” for the purpose of protecting the dignity and identity of the victim in accordance with the provisions of the Ekiti State GBV (Prohibition) Law 2019.

8. HIGHLIGHTS OF KEY PROVISIONS & PENALTIES IN EKITI STATE GBV (PROHIBITION) LAW, 2019

The Ekiti GBV Law protects citizens against human rights violations. The law protects females from rape and gives them an equal opportunity with the male gender in every aspect of life. They are protected against violence and genital mutilation.

8.1: Rape : a person commits the offence of rape if;

- a. He or she intentional penetrates the vaginal, anus or mouth of any person with any other part of his or her body or anything else;
- b. The other person does not consent to the entartinf;
- 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 any force or 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

Penalty:-

- i. life imprisonment
- ii. maximum of 14 years imprisonment for offender that is less than 14 years of age
- iii. [minimum of 20 years imprisonment for group of persons who rape]
Now amended to life imprisonment for gang rape

8.2: Physical Injury on a Person

Penalty:-

- i. Minimum of two years imprisonment or a fine not less than N 200,000.00 or both.
- ii. Minimum of one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act
- iv. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

- **Coercion : A person who coerces another to engage in any act to the detriment of that other person's physical or psychological wellbeing**

Penalty:-

Three years imprisonment

8.3: Wilfully Placing a Person in Fear of Physical Injury**Penalty:-**

- i. minimum of 2 years imprisonment or a fine not less than N 200,000.00 or both
- ii. Minimum of one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act
- iv. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

8.4: Offensive Conduct

- A person who compels another, by force or threat, to engage in any conduct or act, sexual or otherwise, to the detriment of the victim's physical or psychological well-being commit an offence.

Penalty:-

- i. minimum of 2 years imprisonment or a fine not less than N 200,000.00 or both
- ii. Minimum of one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who incites,

aids, abets or counsel another person to commit the act

- iv. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

8.5: Prohibition of Female Circumcision or Genital Mutilation

Penalty:-

- i. minimum of 2 years imprisonment or a fine not less than N 200,000.00 or both
- ii. Minimum of one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act
- iv. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

8.6: Frustrating Investigation

Any person who destroys, alters, mutilates or falsifies any book or document dress or clothing which could serve as evidence or exhibits commit an offence

Penalty:-

- i. minimum of 2 years imprisonment or a fine not less than N 200,000.00 or both
- ii. Minimum of one year imprisonment or a fine of N100,000.00 or both for begging or appealing the victim, police or prosecution.

8.7: Wilfully making False Statement

A person who wilfully makes false statement, whether oral or documentary in the process of initiating investigation or criminal proceedings commit an offence.

Penalty:-

- i. fine of N 100,000.00 or a minimum of 6 months imprisonment or both

8.8: Forceful Ejection from Home

A person who forcefully evicts his or her spouse from his or her home or refuses him or her access to the home commits an offence

Penalty:-

- i. Minimum of 3 months imprisonment or N 100,000.00 fine or both in the first instance and to a term of 6 months imprisonment or a fine of N 200,000.00 or both in other instance.
- ii. Minimum of 3 months or N 100,000.00 fine or both for attempting to commit the offence
- iii. Minimum of 3 months or N 100,000.00 fine or both for inciting and abetting for counselling another person to commit the offence.
- iv. Minimum of 3 months or N 100,000.00 fine or both for receiving or assisting another person who commits the offence.

8.9: Depriving a person of his/her liberty

A person who deprives another of his or her liberty, except pursuant to a court order commits an offence

Penalty:-

- i. minimum of 2 years imprisonment or a fine of N 200,000.00 or both
- ii. Minimum of one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act
- iv. Minimum of one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

8.10: Damage to property with intent to cause distress

A person who causes 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...

Penalty:-

- i. 2 years imprisonment or a fine of N 200,000.00 or both
- ii. one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. one year imprisonment or a fine of N100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act
- iv. one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

8.11: Forced Financial Dependence or Economic Abuse

Penalty:-

- i. 2 years imprisonment or a fine of N 200,000.00 or both
- ii. Maximum of one year imprisonment or a fine of N100,000.00 or both for attempting to commit the act
- iii. Maximum of one year imprisonment or a fine of N100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act
- iv. Maximum of one year imprisonment or a fine of N100,000.00 or both for a person who receives or assists another who commits the offence

8.12: Forced Isolation or Separation from Family and Friends

A person who forcefully isolates or separates from family, incites, aids, abets or counsels another person commit an offence.

Penalty:- minimum of 6 months imprisonment or a fine not exceeding N 100,000.00 or both

8.13: Emotional Verbal and Psychological Abuse

Penalty:-

- i. term of imprisonment not exceeding one year or to a fine not exceeding N 200,000.00 or both
- ii. a term of imprisonment not exceeding one year or to a fine not exceeding N 100,000.00 or both
- iii. a term of imprisonment not exceeding 6 months or to a fine not exceeding N 100,000.00 or both

- iv. a term of imprisonment not exceeding 6 months or to a fine not exceeding N 100,000.00 or both

8.14: Stalking: A man following or contacting a woman despite clear indication of disinterest, or monitoring through use of internet or electronic communication.

A person who follows and watches another person over a long period of time in a way that is annoying or frightening commits the offence

Penalty:-

- i. minimum of 2 years imprisonment or a fine of N 200,000.00 or both for the commits the offence.
- ii. minimum of 1 year imprisonment or a fine of N 100,000.00 or both for attempting to commit the act
- iii. minimum of 1 year imprisonment or a fine of N 100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act.
- iv. minimum of 1 year imprisonment or both for a person who receives or assists another who commits the act

8.15: Intimidation: Frighten or overawe another person in order to make them do what one wants.

Penalty:-

- i. a term of imprisonment not exceeding one year or a fine not exceeding N 200,000.00 or both for commits the act.
- ii. a term of imprisonment not exceeding 6 months or a fine not exceeding N 100,000.00 or both for attempting to commit the act.
- iii. a term of imprisonment not exceeding 6 months or a fine not exceeding N 100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act.

8.16: Harmful Traditional Practices: •FGM • Early Marriage
• Marriage Abduction

Penalty:-

- i. minimum of 1 year imprisonment or a fine of N 200,000.00 or both for commit the act.
- ii. a term of imprisonment for 6 months or a fine of N 100,000.00 or both for attempting to commit the act.
- iii. a term of imprisonment for 6 months or a fine of N 100,000.00 or both for a person who incites, aids, abets or counsel another person to commit the act.

8.17: Attack with Harmful Substance

Penalty:-

- i. life imprisonment without an option of fine
- ii. minimum of 25 years imprisonment without an option of fine
- iii. minimum of 25 years imprisonment without an option of fine

8.18: Administering a Substance with intent

Penalty:-

- i. minimum of 5 years imprisonment or a fine of N500,000.00 or both
- ii.

8.19: Incest

A person who knowingly and wilfully has carnal knowledge of another within the prohibited degrees of consanguinity and affinity commit incest.

Penalty:-

- i. minimum of 10 years imprisonment without an option of fine
- ii. 5 years imprisonment without an option of fine.

8.20: Indecent Exposure

Penalty:-

- i. Minimum of one year imprisonment or a fine of N 200,000.00 or both

● **Application for protection Order**

Pursuant to section 27 of the Ekiti State GBV (prohibition) Law 2019, every GBV Desk Officer of schools, may apply for protection Order for and on behalf of any Pupil/student who is in fear of any violent act being perpetrated against him/her, to ensure the well-being of the pupil(s)/student(s)

CONCLUSION

GBV is a criminal act, let us join hands to eradicate it in our schools, environment and in the society at large. School authorities should engage learners as collaborators in inclusive and customised SRGBV that meet the unique needs and ethos of schools. This will promote human dignity and childrens' right to education in safe learning and nurturing environment.





BROCHURE PRODUCED BY:

**Ekiti State Ministry of Education,
Science & Technology**

&

**Ekiti State Gender Based Violence
Management Committee**

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