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CLJ Bulletin; 2018: 106 LNSM



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[2018] 1 LNS(A) xxxix

Legal Network Series

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A CRITICAL ANALYSIS OF THE LEGAL FRAMEWORK FOR INCEST AND SEXUAL ABUSE OF MINORS IN NIGERIA

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by

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ABSTRACT

Incest and sexual abuse of minors has evolved as a recurrent abuse of human rights of children in Nigeria, as the society prioritizes traditional family values over the protection of human rights. However, despite the traditional challenges, the society is fast devolving into a more humanitarian perspective of protecting the rights of minors, this accounts for the creation of laws that protect and guarantee the rights of the child. The most recent law to this effect being the Child Rights Act, 2003 which was adapted by the Nigerian State from the United Nations Convention on the Rights of the Child.

Despite the giant strides in establishing this new corpus of rights, it is important to analyse the endowments of the legislation on minors in juxtaposition with the realities of the traditional aspect of the Nigerian society, especially when this deals with topical issues like incest, rape and other forms of sexual abuses being committed by family members such as fathers, mothers, uncles, aunts and cousins *inter alia*.

This paper will examine the legal framework covering incest and rape in Nigeria, appraise the guarantees of the law against these sexual offences and consider the challenges militating against the effectiveness of the

also available at Current Law Review Published
by CLJlaw Malaysia 1 LNS(A) xxxix
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2018; 27: 65

existing legal framework regulating such offences. Recommendations will also be made towards strengthening the framework for the prevention of sexual abuse of minors in the society.

1.0 INTRODUCTION

The issue of incest and sexual abuse of minors as considered in this paper is centred on the interwoven nature of child rights and the abuse of these rights by family members of the victim - the child, in the Nigerian society. It is imperative to note that this problem revolves around rights, social welfare and the traditional values of a heavily customary society such as Nigeria.^[1] It is becoming commonplace in Nigeria that sexual abuse of minors and incest is recurring day by day and it therefore begs the question whether the rights of these minors who are victims to an undefined system of rights protection are being utterly neglected. To properly espouse the issues involved in this paper, there would have to be a categorical expatiation on the issues to be raised and to be clarified.

Firstly, who is a child? According to the Child Rights Act (2003), a child is anybody under 18 years of age. However, it is important to observe that the Child Rights Act has to be domesticated by states before it can be applicable in those states and this step has only been taken by twenty-four (24) states out of the thirty-six (36) that makes up the federation.^[2] An analysis of the states that have ratified the Child Rights Act reveals that most of the states in the Southern part of the country have ratified the act as opposed to their counterparts in the Northern part of the country.

This clearly translates to the fact that the eighteen (18) years of age definition of the age of maturity of a child does not apply in most Northern States of the country. In the absence of the Child Rights Laws in those jurisdiction, the Children and Young Persons Act applies, and this law provides that a child is anybody under the age of fourteen (14) years of age and it defines a young person as a person within 14-16 years of age.

This duality of position creates a confusion as to the definition of a child under the Nigerian jurisdiction, thus it easily creates a situation where an act considered an abuse of child rights in some regions of Nigeria is not considered to be so in other regions of the country. It is also pertinent to observe that when issues of sexual abuse of minors are being discussed, there is the pressing temptation to limit the narrative to the sexual abuse of minors who are female and ignore the minors who are male. This fact has also been observed by the East, Central and Southern African Health Community in its assessment that:

“The abuse of boys was found to be even more underreported than that of girls. The dearth of information about the magnitude of CSA in SSA is due largely to significant under-reporting, and the abuse of boys was found to be even more under-reported than that of girls.”^[3]

In this paper, the analysis of incest and sexual abuse of minors in Nigeria will be from the combined data of male and female perspectives, though disparities on the availability of data would also be recognised. This

paper would also address the socio-cultural factors that surround the issue of incest and sexual abuse of minors by their family members.

2.0 INCEST AND SEXUAL ABUSE OF MINORS IN NIGERIA

Incest and sexual abuse of minors are social problems that directly affect the moral, social, legal and physical aspect of the society. However, these two have to be clinically defined to properly distil the issues involved in order to consequently find solution(s).

Incest as defined by the Merriam-Webster Dictionary is the “sexual intercourse between persons so closely related that they are forbidden by law to marry; *also*: the statutory crime of such a relationship”.^[4]

According to Graham:

“Incest generally consists of a person's having sexual intercourse or performing an act of deviate sexual conduct with another person whom he or she knows to be his or her mother or son or brother or sister either of the whole blood or the half blood.”^[5]

The word “incest” was also defined in the Black's Law Dictionary as:

“Sexual relations between family members or close relatives, including children related by adoption”^[6]

It has been debated if incest is one of those offences that is really more of a moral issue than is considered a crime by the society exclusively on its repugnancy basis. Incestuous relationships range from different perspectives depending on jurisdictions.^[7] However, the sexual

relationships involved may be between a man and a woman whom he knows to be his granddaughter, daughter, sister, or mother. The sister may include such man's half-sister. A man's sexual relationship with his nieces, nephews, cousins, and step-daughter may also be considered incestuous depending on the jurisdiction. Likewise, a woman's sexual relationship with her grandfather, father, brother, son, grandson, niece, cousin, nephew, and step-son may be considered as incestuous.^[8]

At this point, it is important to assert that, a relationship that involves a child who cannot consent will be considered as a rape or sexual abuse by the perpetrator against the victim, whether such victim is a minor or adult but in the case where the victim is an adult and consented to the sexual relationship, he or she will be considered an accomplice to the crime of incest.

In Nigeria, children are sexually abused by both adults and other children (who are by virtue of their age or stage of development) in a position of responsibility, trust or power over the child victim.^[9]

Oseni et al presented a classic case of incest when they reported the experience of Miss OA, a 17 year old 100 level accounting student and only child of her parents, who had been repeatedly assaulted sexually by her 48 year old father following the death of her mother. She subsequently became pregnant and underwent an illegal abortion. The father still continued sleeping with her after the abortion and this led to severe lower abdominal pain of five days duration with associated fever, dysmenorrhea and foul smelling purulent vaginal discharge. It was this situation that made her seek medical help.^[10]

Sexual abuse of a minor can take many forms as Lois G. Forer observed in *Encyclopaedia of Crime and Justice* that:

“Although incest under both English and American law is a distinct crime, its commission may involve any of eight different offenses: illegal marriage, consensual cohabitation by unmarried persons, fornication (consensual intercourse), forcible rape, statutory rape, child abuse, and juvenile delinquency (sexual relations between minor siblings or cousins)... *Unless one of the participants is a minor and the other an adult, both parties may be prosecuted for incest.*”^[11] (Emphasis mine)

In *Edwin Ezigbo v. The State*, the Supreme Court per Muhammed J.S.C. commented on the issue of defilement of minors, which is a form of sexual abuse when it held that:

“The facts revealed in this appeal are sordid and can lead to a conclusion that a man can turn into a barbaric animal. When the “criminal” was alleged to have committed the offence of sexual defilement, he was 32 years. His two young victims: Ogechi Kelechi, 8 years old and Chioma, 6 years, were, by all standard underage. What did the appellant want to get out of these underage girls? Perhaps, the appellant forgot that by nature, children, generally, are like animals. They follow anyone who offers them food. That was why the appellant, tactfully, induced the young girls with ice cream and zobo drinks in order to translate his hidden criminal intention to reality, damning the consequences. Honestly, for an adult man like the appellant to have carnal knowledge of

underage girls such as the appellant's victims is very callous and animalistic. It is against the laws of all human beings and it is against God and the State. Such small girls and indeed all females of whatever age need to be protected against callous acts of criminally like-minded people of the appellant's class. I wish the punishment was heavy so as to serve as deterrent.^[12]

This paper will now proceed to determine what provision has been made under the Nigerian legal system for the prevention of the criminal acts of incest and sexual abuse of minors in the Nigerian society.

Notably, section 390 of the Penal Code Act provides that:

"Whoever being a man has sexual intercourse with a woman who is and whom he knows or has reason to believe to be his daughter, his granddaughter, his mother or any other of his female ascendants or descendants, his sister or the daughter of his brother or sister or his paternal or maternal aunt and whoever being a woman voluntarily permits a man who is and whom she knows or has reason to believe to be her son, her grandson, her father or any other of her male ascendants or descendants, her brother or the son of her brother or sister or her paternal or maternal uncle to have sexual intercourse with her, shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.

In this section words expressing relation include relatives of the half blood and relatives whose relation is not traced through a lawful marriage."^[13]

Sexual abuse of minors can also be defined as the act of having carnal knowledge of a minor or young person who is considered incapable of giving consent for sexual relationship. The act has also been defined as "an illegal sex act, especially one performed against a minor by an adult".^[14]

3.0 REVIEW OF THE SEXUAL OFFENCES BILL

The National Assembly recently passed the Sexual Offences Bill (2015) sponsored by Sen. Chris Anyanwu, MFR. Though the bill is still awaiting presidential assent for it to have the full force of law, it is necessary to consider some of its far reaching provisions as it relates to sexual offences in general and incest in particular.

Section 19 of the proposed law directly applies to incest. The section provides:

"(1) Any male person who commits an indecent act or an act which causes penetration with a female person who is to his knowledge his daughter, grand-daughter, sister, mother, niece, aunt or grandmother is guilty of an offence called incest and is liable, upon conviction, to imprisonment for a term of not less than ten years:

Provided that, it is alleged in the information or charge and proved that the female person is under the age of eighteen years, and the accused person shall be liable to imprisonment for life and it shall be immaterial that the act which causes penetration or the indecent act was obtained with the consent of the female person."

The proposed Sexual Offences Act created the offence of incest and stipulates ten years as the term of punishment for anyone found to have committed the offence. It further extends the term of imprisonment to a life term where it is found that the victim of the male offender is less than 18 years of age. Section 20 of the proposed law provides in respect to female offenders of incest that:

“The provisions of section 19 shall apply mutatis mutandis with respect to any female person who commits an indecent act or act which causes penetration with a male person who is to her knowledge her son, father, grandson, grandfather, brother, nephew or uncle.”

A prominent difference between the extant penal law and the proposed bill on the offence of incest stated above is that while the Sexual Offences Bill stipulates a term of 10 years as the punitive measure for being found guilty of the offence of incest, the Penal Code, on the other hand stipulates 7 years as the maximum punishment for being found guilty of the offence.^[15]

The proposed Sexual Offences Act in its Section 6 further provides that:

“A person who intentionally commits rape or an indecent act within the view of a family member, with a child or a person with mental disabilities is guilty of an offence and is liable upon conviction to imprisonment for a term which shall not be less than ten years.”^[16]

It is important to note that the proposed law emphasized the criminality of the offence of sexual abuse of minors where it provided a proviso to

the defence of defilement of a child under the age of 18. There, the law stated that the defence of ignorance of the age of an under-aged child with whom the accused committed the offence of defilement would not apply in a case where such child is *within the prohibited degrees of blood affinity*, i.e. related by blood to the offender.^[17]

The Penal Code Act also provided for the sexual abuse of minors but not exclusively as the offence can only be adapted from the offence of rape in Section 282 of the Act. The section provides in respect of sexual abuse of minors:

“(1) A man is said to commit rape who ... has sexual intercourse with a woman in any of the following circumstances-

(e) with or without her consent, when she is under fourteen years of age or of unsound mind.”

A notable observation about the Penal Code Act is that it limits the abuse of minors to only the female perspective which is indicative of the myth in the Nigerian society that the sexual abuse of male minors is non-existent. However, section 6 of the proposed Sexual Offences Act, however makes an exception from this general misconception, though the subsequent section 7, also only makes allusion to the term “penetration” which is one of the sine qua non ingredients of the offence of defilement or rape and solely connected to the female narrative of non-consensual rape.

This classic omission and other attendant problems were aptly observed by Bowman et al,^[18] when they submitted that incest also typically

applies only to offences against a family member of the opposite sex, excluding from protection, for example, boys who are raped by their male relatives. They further pointed out that;

“Moreover, the legal definition of incest is often very narrow in terms of the members of the family with whom sex is proscribed, leaving out the stepfathers and uncles who are reported to be among the worst offenders. In many countries, therefore, the crime of incest is based on a colonial model of the nuclear family that is inappropriate in Africa. It is also heterosexist. The statutory categories of age and consent may also conflict with customary law categories governing sex with young girls, leading to additional problems for law enforcement.^[19]

It is pertinent at this juncture to question the viability of these laws that seek to prevent the defilement and sexual abuse of minors in the Nigerian society considering the current spate of these social problems.

According to the Nigerian Violence against Children Survey (VACS Report 2014),^[20] millions of children suffer violence every year in Nigeria and it was established that 6 of every 10 children less than 18 years of age suffered varying forms of physical, emotional and sexual violence before they reached adulthood. Indeed, the statistics are correct as the spate of report of sexual abuse of minors and incest in the media has been shockingly recurrent.^[21]

The VACS report further exposed that 24.8% of females and 10.8% of males aged 18 to 24 years experienced sexual abuse prior to age 18. It

also established that 16.4% of females and 8.4% aged 13 to 17 years experienced sexual abuse in the 12 months preceding the survey (i.e., they were sexually active during that period). Of this category of minors who experienced sexual abuse during the period of the survey, 64.1% of the females and 76.0% of the males experienced multiple incidents of sexual abuse during their lifetime.

4.0 THE CHID RIGHTS ACT, 2003 AND OTHER EXISTING FRAMEWORK FOR THE PROTECTION OF MINORS AGAINST INCEST AND SEXUAL ABUSE

According to the Nigerian VACS Report 2014, globally, a staggering 120 million girls under the age of 20 (about one in ten) are estimated to have been subjected to forced sexual intercourse or other forced sexual acts at some point in their lives. In respect of this global perspective, the report indicated that 25% of females aged 14-18 reported sexual violence prior to being 18 years of age. The report showed a rating of 11% of males within 14-18 years reported sexual violence before they turned 18.^[22]

The sexual abuse of children has gained increasing visibility as a critical human rights and public health challenge for Nigeria and the Federal Government of Nigeria has taken some important steps in protecting children from this social problem. At international and regional spheres, Nigeria is signatory to treaties committed to protecting children from violence. These include, the Convention on the Rights of the Child (1989),^[23] the African Charter on the Rights and Welfare of the Child (1990), the Optional Protocol on the Involvement of Children in Armed Conflict (2000), and the Optional Protocol on the Sale of Children, Child

Prostitution, and Child Pornography (2000). At its national level, the enactment of the Child's Rights Act, 2003 (CRA) has been pivotal in the creation of a corpus of rights of the child against sexual abuse.

The Child Rights Act (2003) in its Section 32 stipulates a term of 14 years imprisonment for anyone who sexually abuses a child. However, one remarkable distinction of the Child Rights Act from the other laws on incest and sexual abuse in Nigeria is the provision of Section 31 of the Act. That section provides thus:

- “(1) No person shall have sexual intercourse with a child.
- (2) A person who contravenes the provision of Subsection (1) of this section commits an offence of rape and is liable on conviction to imprisonment for life.
- (3) Where a person is charged with an offence under this section, it is immaterial that-
 - (a) the offender believed the person to be of or above the age of eighteen years; or
 - (b) the sexual intercourse was with the consent of the child.”

The distinction is that whereas, the misconceived knowledge of the age of the child by the offender can be used as a defence under the Penal Code Act, such defence will fail under the Child Rights Act as provided by Section 31.

Another notable creation of the Child Rights Act for the protection of children who are victims of sexual abuse is the creation of the status of children in need of care and protection as envisaged under Section 50 (f, l, m, and n) of the Act. This status is also provided for in the proposed Sexual Offences Act, currently awaiting presidential assent.^[24] These requires the court to take charge of such children and place them in the care of another person or persons to act as a guardian or place them in the care of the government.

The most significant current policy document is the National Priority Agenda (NPA) for Vulnerable Children in Nigeria (2013–2020). The NPA is an eight-year strategic framework to guide the multi-sectoral operationalization of the objectives and strategies of Nigeria's Vision 20:2020, which aim to ensure the protection of the most vulnerable children in Nigeria.

The NPA promotes a dual-pronged approach which ensures that all social-sector actions are sensitive to the most vulnerable children and their families and at the same time pursues additional specific actions to directly reach out to these children. In doing so, it moves from a narrow response to vulnerable children that is direct-service-delivery focused to a comprehensive response that aims to build and strengthen integrated and linked systems. In particular, it identifies prevention and response to violence as one of the six priorities.

The NPA serves as a guiding framework for states to develop their own multi-sectoral action plans for vulnerable children, based on their specific situations, contexts, and challenges. This elevated the importance of the

issue of violence against children and recognized that reducing children's vulnerability will positively and directly impact Nigeria's economic and social well-being and development. However, this policy game-plan has sadly been under-executed.

The Nigerian VACS Report indicated that the protective measures for minors are either inadequate or a total failure. According to the report, 15.8% of females and 38.5% of males aged 18 to 24 years who experienced sexual abuse in childhood knew of a place to seek services. Among those aged 18 to 24 years who experienced sexual abuse prior to age 18, 5.0% of females and 2.6% of males sought help, while 3.5% of females and 1.5% of males received services and 1.5% of males received services.^[25]

There are other laws apart from the Child Rights Act that also contained salient provisions dealing with the sexual abuse of minors. The Violence against Persons (Prohibition) Act, 2015 and the Cyber Crime Act, 2015 will be considered in this regard.

The Violence against Persons (Prohibition) Act was signed into law by former President Goodluck Jonathan on 25th of May 2015. It deals with sexual violence in sections 1, 6, and 26 respectively. The Act further provides that where the offender is found culpable under section 1, he would be sentenced to life imprisonment. Where the offender is less than 14 years, the punishment is a maximum term of 14 years imprisonment while in other cases, a minimum of 12 years imprisonment is provided. On the issue of gang rape, the offenders are liable jointly to a minimum term of 20 years without an option of fine. The Act also recommends the

award of appropriate compensation to the victim by the court and also mandates that a register of sexual offender be maintained.

Akpoghome^[26] observed that there is an expansion on the definition of rape and its prohibition under the VAPP Act. While other laws may have restricted their definition of rape to protect only females in relation to vaginal penetration without consent the Act expanded the meaning and scope of rape. Going by the definition of rape in the Act, it would be discovered that both males and females can be raped and are protected by the Act.

Additionally, the VAPP Act has also taken a progressive stance by recognising that sex now goes beyond the use of the primary sexual organs and extends the scope to anus and mouth. Thus, minors that are forced to perform sexual acts either through their anus or mouths can now sue their offenders for rape under the VAPP Act. Furthermore, it is noted that penetration under the VAPP Act need not only by the sex organ (penis) of the offender but by any part of his body or anything else. This is an improvement on the Criminal Code Act and Penal Code that requires sexual intercourse. Again, consent must have been vitiated or was obtained by force or threat of use of force or intimidation or deceit including impersonation.

Particularly on the issue of incest, Section 25 of the Act made provisions for the offence of incest and upon conviction the offender is sentenced to 10 years imprisonment without an option of fine and where there is consent between the parties and if such consent is not obtained by fraud or threat the persons involved will be sentenced to 5 years imprisonment

without an option of fine. The VAPP Act defined “incest” as knowingly and wilfully having carnal knowledge of another within the prohibited degrees of consanguinity and affinity.

The Cyber Crime Act, 2015 in its Part III created offences and penalties, some of which include sexual offences committed in the cyberspace. Under the Act, child pornography and other related offences were addressed. The Act provides that any person who intentionally uses any computer system or network in or for

- a. producing child pornography,
- b. offering or making available child pornography,
- c. distributing, or transmitting child pornography,
- d. procuring child pornography for oneself or for another person,
- e. possessing child pornography in a computer system or on a computer-data storage medium: commits an offence under this Act.

The Act further provided a term of imprisonment of 10 years or an option of fine not exceeding N20,000,000.00 (Twenty Million Naira) for anybody found guilty of the offences under categories a, b, c and a term of imprisonment for 5 years or a fine not exceeding N10,000,000.00 (Ten Million Naira) for offences under categories d and e.

Section 23 (3) further provides that:

A person, who intentionally proposes, grooms or solicits, through any computer system or network, to meet a child for the purpose of:

- a. Engaging in sexual activities with the child;
- b. Engaging in sexual activities with the child where:
 - (i). use is made of coercion, inducement, force or threats,
 - (ii). Abuse is made of a recognised position of trust, authority or influence over the child, including within the family, or
 - (iii). Abuse is made of a particularly vulnerable situation of the child, mental or physical disability or a situation of dependence;
- c. Recruiting, inducing, coercing, exposing or causing a child to participate in pornographic performances or profiting from or otherwise exploiting a child for such purposes; commits an offence under this Act.

The above analysis clearly shows that there are several laws that have been enacted to combat the menace of child sexual abuse, particularly incest in the country. Nevertheless, these laws have not achieved these goals due to some socio-legal challenges. It is therefore apposite to examine some of the societal challenges militating against the effective protection of minors against incest and sexual abuse in the country.

5.0 SOCIETAL CHALLENGES TO THE PROTECTION OF MINORS AGAINST INCEST AND SEXUAL ABUSE IN NIGERIA

The social problems of incest and sexual abuse of minors has been compounded by the reactive measures the society has for these problems. Many times, cases of sexual abuse of minors and incest go unreported due to the “It’s a family-issue” badge and/or a scare of scarring the family name of the victim in public.^[27] Adeleke corroborated this position when he submitted that the most-often reported form of incest is father-daughter and step-father-daughter incest, with most of the remaining reports consisting of mother/stepmother-daughter/son incest. He further agreed that father-son incest is reported less often and possibly underreported by a greater margin.^[28]

A report by the All Party Parliamentary Group (APPG) emphasized the fact that child abuse, specifically sexual abuse that might exist within families, is a highly sensitive and taboo issue. Often when cases of abuse are brought to the attention of the authorities, the latter advise that they are ‘family matters’ that should be solved internally. Additionally, many families do not welcome the publicity associated with cases such as these, fearing it would damage the reputation of the family and the child involved, and this deters them from pursuing cases to their full conclusion.

According to the APPG Report,

"Many groups the delegation met with, however, expressed the view that rape of young girls takes place more frequently than is reported. One participant explained that charges could often be settled informally, with the perpetrator paying the family a small fee. The delegation found it shocking that a rape charge could be dropped for less than the price of a speeding ticket in the United Kingdom."^[29]

The 2007 Assessment of Violence against Children at the Basic Education Level in Nigeria revealed low levels of reporting cases of violence, ranging from 4% for sexual violence to 40% in the case of physical violence.^[30] According to Ajuwon, Akin-Jimoh, Olley & Akintola, children and youth who experience violence may avoid seeking help or disclosing their experiences because they fear being blamed by their families and communities.^[31]

Nevertheless, these victims of sexual defilement are made to suffer unquantifiable anguish, some become diagnosed with post-traumatic stress disorder, dissociation from reality, depersonalization, they endure physical violence, avoid social life, get infected with sexually transmitted infections, encounter serious difficulty in remembering events, relive moments of sexual assault and unwanted pregnancy amongst other ills.^[32]

Another challenge is the dearth of data on the subject of violence against boys, especially sexual violence. It is currently misconceived that sexual abuse of males is non-existent. This is highly untrue, though the records of such occurrences are lower compared to their female counterparts.^[33]

Another social challenge that confronts the prevention of incest and sexual abuse of minors is the problem of education. According to the Nigerian VACS Report (2014), one in four females, and more than one in ten males never attended school. The percentage indicated females were significantly more likely to never attend school (22.5% of 95%) compared to males (13.0% of 95%).^[34] This lack of sufficient and reliable data on violence against children to date has contributed to the inability of decision-makers to make informed planning and policy decisions related to the problem.

6.0 CONCLUSIONS AND RECOMMENDATIONS

The social and public health consequences of the crime of incest and sexual abuse of minors for a developing society like Nigeria could be very dire. It reduces the potential of the individuals involved in such incidences, and considering the percentage of minors involved in these occurrences, the output of the country could be affected if the social problems are allowed to fester. According to a fact-sheet report by Year of Action to End Violence against Children:

“Failure to invest in tackling violence against children leads to substantial social and economic losses (estimated at 2-8% of Gross Domestic Product). There is also a growing evidence base to demonstrate that preventing violence can promote economic growth.”^[35]

There are other negative consequences which may include the health of the minor involved. The high rate of sexual violation leads to the mental,

physical, emotional and psychological distraught of these children and makes it nearly impossible for these children to love themselves let alone their own country, especially when the perpetrators of this heinous act are left unpunished due to the “twisted” and relaxed nature of the law on sexual defilement of children^[36]

The Nigerian VACS Report of 2014 concluded that females aged 18 to 24 years with history of sexual abuse or physical violence in childhood were significantly more likely to have had symptoms or diagnosis of sexually transmitted infections (STIs) than those with who did not experience sexual abuse or physical violence in childhood.”^[37]

It was further shown in the report that among 13 to 17 year olds who experienced sexual abuse in the year preceding the survey, 70.8% of females and 77.5% of males had never been tested for HIV. The report also stated that:

“Females aged 13 to 17 years who experienced sexual abuse or physical violence in the past 12 months were significantly more likely to have ever intentionally hurt themselves than those who did not experience sexual abuse or physical violence in childhood. Males aged 13 to 17 years who experienced sexual abuse in the past 12 months and males 18 to 24 years old with history of sexual abuse in childhood were significantly more likely to have ever intentionally hurt themselves. Among females with experiences of unwanted completed sex during their lifetime, 15.0% of 18 to 24 year olds and 7.6% of 13 to 17 year olds reported pregnancy as a result.”^[38]

This clearly shows that the consequences the practice of incest and sexual abuse of minors in the society hold could be very fatal to the future of the minors, who are in turn the future of the country.

It is therefore very important that the necessary bodies and government agencies and NGOs be made to come on board in a renewed and dedicated effort to nip this menace in the bud and protect the future of the children.

It is likewise important to properly sensitize the public on telecommunications media and social media on the need to report occurrences and incidences to appropriate authorities like the Ministry of Women Affairs and Social Development and that these agencies develop a more enhanced approach of properly responding to incidents.

Other recommendations include adopting and implementing laws and policies that prevent and respond to sexual violence against children. This can be initiated with the creation of a protective environment for children who report incidences. There is a dire need for a multidisciplinary team approach to prevention, detection, reporting, treatment, and data collection of cases of child abuse in the country.

Also, the response to violence against children can be strengthened through encouraging children to speak out and enhancing access to services without having recourse to the perpetrator of the sexual offence. More so, the consolidation of efforts to hold offenders accountable should be supervised by the government. The judiciary should also not

shy away from handing out maximum punishment, when the occasion demands, to sex offenders.

Finally, it is recommended that the Sexual Offences Bill passed by the 7th National Assembly should be assented to by the President as it contains novel provisions aimed at curbing the menace of sexual offences in the country. The National Assembly is also called upon to exercise its constitutional powers to pass the bill as it has been awaiting presidential assent for over two (2) years.

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Endnotes:

^[1] Obisesan, K., Adeyemo, A., & Onifade, R. (1999). Childhood Sexuality and Child Sexual Abuse in Southwest Nigeria. *Journal of Obstetrics and Gynaecology*, 19(6), 624-626.

^[2] These are Abia, Akwa-Ibom, Anambra, Benue, Cross River, Delta, Ebonyi, Edo, Ekiti, Imo, Jigawa, Kwara, Lagos, Nassarawa, Ogun, Ondo, Osun, Oyo, Plateau, Rivers, Niger, Bayelsa, Kogi and Taraba.

^[3] See East, Central and Southern African Health Community "Child Sexual Abuse in Sub-Saharan Africa", January, 2011, available at <http://www.svri.org/sites/default/files/attachments/20160716/Draft%20Child%20Sexual%20Abuse%20In%20SubSaharan%20Africa%20A%20Review%20Of%20The%20Literature.pdf> Accessed on 09/Nov/2017.

^[4] <https://www.merriam-webster.com/dictionary/incest> Accessed on 09/11/2017.

^[5] Graham Hughes, The Crime of Incest, 55 J. Crim. L. Criminology & Police Sci. 322 (1964).