

**A LAW
TO PROVIDE FOR THE
ESTABLISHMENT OF COMMUNITY VOLUNTEER GUARD
(VIGILANTE) AND FOR PURPOSE CONNECTED THEREWITH**

BE IT ENACTED by the Nasarawa State House of Assembly and by the authority of same as follows: Enactment

1 This Law may be cited as the Community Volunteer Guard (Establishment) Law and shall come into force on 15th day of December, 2004. Citation and commencement

2 (1) There is hereby established in each community in the State, a body to be called the Community Volunteer Guard (popularly referred to as Vigilante Group) which shall hereafter in this Law be called Volunteer Guards. Establishment

(2) The Volunteer Guards shall within their location assist the Police in the maintenance of peace and security; and to collect information on persons with criminal tendencies in the area and furnish such information to the Police Officer for appropriate actions.

3 (1) The membership of the Volunteer Guard shall be voluntary and open to individual residing within the community and in particular to ex-servicemen and people who: Membership

(a) Have lived in the community for not less than six (6) months.

(b) Are not less than 18 years and not more than 50 years of age.

(c) Are gainfully employed and have steady means of livelihood.

(d) Are not ex-convicts or persons of questionable moral integrity; and

(e) Are ready to comply with the provisions of the Constitution of the Federal Republic of Nigeria and/or relevant laws in force in the State.

(2) A list of all members of the Volunteer Guard shall be submitted by the Head of the Community to the coordinating secretary and the Police at the Local Governments/Development Areas Headquarters and

such names shall be entered in a register of Volunteer Guards.

- (3) Where the Secretary finds a volunteer guard unfit, the name of such volunteer shall be removed from the register, subject to confirmation by the coordinating Committee.

- 4 (1) The Volunteer Guard shall be under the leadership of the Community, Kindred or Village Head as the case may be; and the Police Officer shall monitor the activities of the Volunteer Guards as closely as practicable.

Leadership and
Coordination

- (2) The Local Government Council/Development Area in the area shall provide coordinating office for the Volunteer Guards and shall also appoint a Secretary to administer the office.

- (3) The Secretary shall keep records of the activities of the Volunteer Guards as submitted by the community or ward as the case may be.

- 5 (1) The functions of the Volunteer Guard includes:

Functions

- (a) Maintenance of order, peace and security of lives and property in the community.
- (b) Assisting the Police in the detection and prevention of crimes in the community.
- (c) Detecting and preventing bush burning, illegal logging and deforestation.
- (d) Mobilising labour for supervising community development activities.
- (e) Escorting and handing over arrested suspects and stolen goods to the Police.
- (f) Responding to distress alarm of residents.

- (g) Carrying out any other duty as may from time to time be assigned to them by the Head of the Community or the Coordinating Committee.
 - (2) A Volunteer Guard who arrest criminal suspects shall hand over such suspects to the Police within 24 hours.
 - (3) Any property recovered by the Volunteer Guards from suspect(s) in the process of the commission of crime shall be handed over to the Police for necessary administrative processes.
- 6 (1) There shall be a Committee of Volunteer Guard which shall comprise:
- (a) The Commissioner of Police as the Chairman.
 - (b) The Chairmen of all Local Government Councils/Development Areas in the State as members.
 - (c) A Police Officer who shall not be below the rank of Assistant Commissioner as member.
 - (d) The Director of State Security Services as member.
 - (e) The Director of Public Prosecutions in the State Ministry of Justice as member.
 - (f) The Director in charge of Security Services at the Office of the Secretary to the State Government shall serve as the Secretary of the Vigilante Committee at the State level.
 - (g) The Director of Social Welfare in the Ministry of Women Affairs and Social Development as member.

Committee on
Volunteer
Guard

- (2) The Committee shall have power to review the activities of the Volunteer Guard in the State and direct necessary modifications as the need arises.
 - (3) All coordinating Committees shall submit periodic report of the activities of the Volunteer Guard to the Committee.
 - (4) All outings by the Volunteer Guard especially in the night shall be accompanied by the Police where practicable.
- 7 (1) There shall be coordinating Committee at each Local Governments/Development Area which shall comprise:
- (a) The Chairman of the Local Government Council/Development Area as Chairman.
 - (b) The Divisional Police Officer as member.
 - (c) The State Security Officer as member.
 - (d) The Head of each Ward in the Local Government as member.
 - (e) The Head of Traditional Council.
 - (f) The Social Welfare Officer in the Local Government as Secretary.
- Coordination
Committee
- 8.(1) The services of the Volunteer Guard shall be voluntary but supported financially on monthly basis by the State, Local Government/Development Areas, non-governmental organizations (NGOs), companies and individuals. The money accruing to it shall be applied to logistic only.
- (2) The fund of the Volunteer Guard shall consist of:
- (a) Voluntary contributions from members of the Community;
 - (b) Any other money lawfully earned by the Volunteer Guard.

(3) The Leaders at each level shall ensure that the fund is judiciously applied to the needs of the Volunteer Guard.

9.(1) The Volunteer Guard shall not constitute itself into a court of law but shall refer all criminal cases to the Police for appropriate prosecution. Discipline

(2) All members of the Volunteer Guard shall be answerable to the Co-ordinating Committee and all disciplinary actions against erring members shall be determined by the Co-ordinating Committee.

(3) An appeal against any disciplinary action in sub-section (2) of this section shall be to the Committee and the decision of the Committee shall be final.

10. Any person, who intentionally or willfully hinders, obstructs or prevents a Volunteer Guard from carrying out his functions under this Law, shall be guilty of an offence and liable on conviction to a fine ₦1,500.00 or to imprisonment for a term of not exceeding three months or both. Offence(s)

11. A member of the Volunteer Guard while carrying out his duties shall use lethal weapon such as (bows and arrows, cutlasses, knives, dane guns), provided they are registered by the Co-ordinating Committee both at the State and Local levels pending the final approval by the Divisional Police Officers and the Commissioner of Police. Limitation

12 All the Volunteer Guards/Vigilante Groups existing before the coming into force of this Law and are already registered shall deemed to have been formed under this Law and shall comply with the provisions of this Law. Saving

13 Subject to the provision of Section 5(2) of this Law, no cause of action shall lie against any Vigilante member(s) by any member of the public whose arrest is on reasonable suspicion.

14 In this Law unless the context otherwise provides:

Interpretation

“Commissioner” means the Commissioner of Police in the State.

“Committee” means a Committee as provided in Section 6 of this Law.

“Development Areas” means Development Areas in the State.

“Local Government” means the Local Government Councils in Nasarawa State.

“Police Officer” means the person(s) in-charge of a Police Post or Police Station nearest to the locality of the Volunteer Guard.

“Residents” includes landlords, servants or landlords and tenants in a community.

“Secretary” means the Officer charged with the duty of record keeping of the activities of the Volunteer Guards in the Local Government/Development Area at the State level.

“State” means the Nasarawa State of Nigeria.

“Volunteer Guard” means a group of people in a community that have voluntarily agreed to assist in the prevention of crimes and promote security consciousness in the community and are duly registered with the Commissioner of Police and or Divisional Police Officer at the Local Government/Development Area.

This printed impression has been carefully compared by me with the Bill, which has been passed by the Nasarawa State House of Assembly and is found by me to be true and correct copy of the Bill.

MOSES A. ONDAKI
Clerk of the House
Nasarawa State House of Assembly

I ASSENTED THIS 15TH DAY OF DECEMBER, 2004

ALHAJI ABDULLAHI ADAMU
Executive Governor
Nasarawa State of Nigeria