



FEDERAL REPUBLIC OF NIGERIA

FEDERAL HIGH COURT OF NIGERIA

**PRACTICE DIRECTIONS (ON TRIAL OF
TERRORISM CASES)**

2022



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PRACTICE DIRECTIONS (ON TRIAL OF TERRORISM CASES)
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PREAMBLE

In exercise of the powers conferred on me by section 254 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and all other powers enabling me in that behalf, I, John Terhamba Tsoho, The Honourable, The Chief Judge, Federal High Court of Nigeria, hereby make the following Practice Directions:

ORDER I
APPLICABILITY

1. These Practice Directions shall, save to the extent as may be otherwise directed by The Honourable, The Chief Judge, apply to all trials of cases under the Terrorism (Prevention) Act, 2011 (as amended) before the Federal High Court sitting anywhere in Nigeria.

ORDER II
DIRECTIONS ON TRIAL PROCEEDINGS

1. Perimeters of the Court –
 - (a) The perimeters of the Court sitting over a terrorism trial shall be secured for the period of the trial for safety of litigants and Court officials.
 - (b) Distance and size of perimeters to be secured for the trial shall be determined based on the recommendation of security agencies on a case-by-case basis.
 - (c) No person shall be allowed within the secured perimeters save the approved Court officials; parties and a number of pre- registered legal practitioners on either side, witnesses; and any other person as may be

directed by the Judge or the most Senior Judge in the given circumstances.

2. Premises of the Court:

Only the Judges; other essential Court Staff and security agencies involved in the particular case and their vehicles shall have access to the Court premises.

**ORDER III
COURTROOM PROCEEDINGS**

1. Proceedings of offences of terrorism, subject to the provisions of section 232 of the Administration of Criminal Justice Act, 2015 and section 34 of the Terrorism (Prevention) Act, 2011 (as amended), shall be held in camera or as may be ordered by the Court.
2. The names, addresses, telephone numbers and identity of the victims of such offences or witnesses in the proceedings shall not be disclosed in any record or report of the proceedings and it shall be sufficient to designate the names of the victims or witnesses with a combination of alphabets.
3. In any proceedings where the Court deems it necessary to ensure the safety and/or protect the identity of the victim or a witness, it may take any or all of the following protective measures:
 - a. Hold its proceedings at any place to be designated by the Chief Judge and in the case of the Abuja Judicial Division, the venue for the time being, shall be the premises of the Code of Conduct Tribunal;
 - b. Receive evidence by video link;
 - c. Permit the witness to be screened or masked;
 - d. Receive written depositions of expert witnesses;
 - e. Direct that all or any part of the proceedings of the Court shall not be published in any manner;
 - f. Exclude from the proceedings any person other than the parties and their legal representatives;

- g. Make order as to any electronic devices that would be allowed during proceedings
- h. Make order on any other measure that the Court considers appropriate in the circumstances.

**ORDER IV
COVERAGE OF PROCEEDINGS**

1. Coverage of proceedings under these Practice Directions is strictly prohibited, save as may be directed by the Court.
2. A person who contravenes an order or direction made under these Practice Directions shall be deemed to have committed an offence contrary to section 34(5) of the Terrorism (Prevention) Act, 2011 (as amended).

CITATION

These Practice Directions shall be cited as the Federal High Court Practice Directions (On Trial of Terrorism Cases) 2022.

COMMENCEMENT

These Practice Directions take immediate effect.

Dated this^{5th} day of^{April}....., 2022



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Hon. Justice John Terhemba Tsoho (FICMC)
Chief Judge
Federal High Court of Nigeria

EXPLANATORY NOTE

These Practice Directions seek to provide measures that will ensure the security and safety of parties; personnel of law enforcement agencies and the Judiciary; as well as members of the general public; while ensuring expeditious and fair trial of persons suspected of having committed acts of terrorism.