

THE MOBILE COURT IN THE ADMINISTRATION OF CRIMINAL JUSTICE IN NIGERIA*

Abstract

The Criminal Justice System of most countries flow from the provisions of the Constitutions of such country which in Law are regarded as the grundnorm. It therefore follows by simple analogy that every criminal justice system must have a clearly defined line of courts for easy access. This being so, it is not unusual for one to be faced with a situation where a mobile court exists. In Nigeria as a focus, mobile courts are synonymous with the Federal Road Safety Corp for the trial of erring motorists and sometimes the Ministry of Environment for sanitation offences. The fulcrum of this work therefore is to appraise the Mobile Court and its contribution to the Criminal Justice System. The researcher started by clarifying the concepts in question and the composition of such mobile courts and as well considering the positive and negative values of the mobile courts' vis a viz the Constitution of Nigeria with particular reference to fair hearing and trial in public. Finally, the researcher concluded by asserting that caution should be the watchword when the application and implementation of mobile court system are considered.

Keywords: Mobile Court, Administration of Criminal Justice, Nigeria, the Role of

1. Introduction

In Nigeria, it is not unusual for one to observe while travelling on the highways a cluster of persons and vehicles. These persons are sometimes persons who have been booked for one offence or the other by the FRSC and are to appear before a Mobile Court manned by a judicial officer in some cases. These mobile courts dispense justice in a summary and arbitrary way since they do not have the room for full-fledged trial within the time at their disposal. The mobile court also most times sits to impose fines upon persons immediately a plea of guilt is made. For purposes of clarity, this work is divided into several parts to include, definition of the key concepts, creation and composition of the mobile courts, procedures of the mobile courts, the constitutional provisions for criminal trial, challenges and prospects and finally conclusion and recommendation. These are all geared towards giving the reader the privilege of clear comprehension of the subject matter in discourse.

2. Meaning of Mobile Court

To get a complete definition of Mobile Court, we will first define court. What is a court? Black's Law Dictionary¹ defined Court as, 'A governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice'. The definition in Black's Law Dictionary went on to incorporate the definition of William J Hughes in Federal Practice Jurisdiction & Procedures No 7 at 8 as follows: 'A court... is permanently organized body, with independent judicial powers defined by law, meeting at a time and place fixed by law for the judicial public administration of justice'. The question here which we will answer as we progress is whether a mobile court conforms to the requirement of permanency as captured in this definition. It is also the definition of Black's Law Dictionary, that 'The Judge(s) who sit on such governmental body is(are) also known as Court.'² The Cambridge Dictionary classified Court(Law) as a noun and defined it as, 'a place where trials and other legal cases happen, or the people present in such a place, especially the officials and those deciding if someone is guilty.'³ Collins Dictionary on the other hand defined a Court as 'a place where legal matters are decided by a judge and jury or by a magistrate'⁴. If a court has been severally defined as in above what then does the mobile accompanying the court mean? Merriam Webster Dictionary defined 'mobile', 'as capable of moving or being moved'.⁵ The Cambridge dictionary defined it as, 'able to move or be transported easily from one place to another, or be used for a different purpose'.⁶ Having come this far, it therefore becomes imperative to join both words and attempt a definition. Thus, we ask, what then is Mobile Court? Mobile courts are defined as 'formal courts that conduct proceedings in locations other than their home offices, usually in remote areas where no justice services

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¹ Bryan A. Garner (ed), Black's Law Dictionary, 2004 Thomson West, St Paul Minnesota Pg 378.

² Op cit

³ See Cambridge's Online dictionary available online at <https://dictionary.cambridge.org/dictionary/english/court> accessed on 28/5/2020 at 11.57am.

⁴ See Collins Online Dictionary available online at <https://www.collinsdictionary.com/dictionary/english/court> accessed on 28/5/2020 at 12.01pm.

⁵ See Merriam Webster Dictionary available online at <https://www.merriam-webster.com/dictionary/mobile> accessed on 28/5/2020 at 1.18pm.

⁶ See Cambridge Dictionary available online at <https://dictionary.cambridge.org/dictionary/english/mobile> accessed on 2/6/2020 at 10:41am.

are available.⁷ According to Hosen and Ferdous, ‘the word ‘mobile’ is an adjective which means capable of moving or of being moved readily from place to place and ‘court’ generally signifies an institution in which disputes and conflicts are heard, argued and decided on the basis of law. In other words, court is an official, public forum which a public power establishes by lawful authority to adjudicate disputes and to dispense civil, labour, administrative and criminal justice under the law’.⁸ Hosen and Ferdous continued by submitting that ‘mobile court connotes a special arrangement of the court which moves from place to place, as opposed to, the court in the enclosed place, to adjudicate laws for the ulterior purpose of ensuring justice’.⁹ Hosen and Ferdous in going further with the definition of Mobile Court made reference to Kahn’s Seminar where he stated that, ‘mobile court can be compared as a mobile phone which is easily moveable to enforce laws as a supplementary and complementary maneuver of court; as we understand court derives from the Latin cohorts meaning a yard and the retinue of persons which gathered in the enclosed place’¹⁰. Mobile Court has been established in most countries and for the reason of its directness and easy access. In Nigeria, the FRSC has described the Mobile Court ‘as a vital tool to check unqualified drivers and vehicles from plying the highways’.¹¹ Drawing from the above, one can safely define mobile court as that court which does not sit in an enclosed place but sits in a makeshift environment to dispense justice as and when needed.

3. Creation and Composition of Mobile Courts

The pertinent question here is how is a mobile court created and who mans the mobile courts so created? It is a fact that the Constitution of the FRN in its Section 6 subsection 1 vested all the judicial powers of the federation in the courts to which this section relates, being courts established for the federation or for the state. In going further, the same Constitution listed such courts to include courts established by the said constitution, which are referred to as Superior Courts or Courts established by the House of Assembly of the State. It further maintained that notwithstanding the above, the Constitution particularly the section in view shall not be construed as precluding the National Assembly or the State House of Assembly from establishing courts other than those to which this section applies to. Section 6(5) enumerated the Courts to include Supreme Court, Court of Appeal, Federal High Court, State High Court, HC of the FCT, among other courts. Section 6(6j) maintained the inclusion of such other courts as may be authorized by law to exercise jurisdiction on matters with respect to which the National Assembly may make laws... Flowing from the above, it seems that the Mobile Court was nowhere mentioned in the said Constitution expressly however a further interpretation of the said Constitution shows that outside the Courts specifically mentioned in the Constitution, there is a provision of the Constitution which allows other Courts to be established by the authority of Laws made by the National Assembly and or the State Houses of Assembly. It is clear that there is no provision of the Law specifically tackling the issue of Mobile Courts. In Nigeria particularly, it has been normal for a Mobile Court to be presided over by a Magistrate. In all present situations where Mobile Court sits, it is usually for the discharge of summary trials mostly in relation to Traffic Offences, Sanitation Offences and most recently in Nigeria is the Mobile Court saddled with the punishment of offenders who violated the curfew and lockdown imposed by the Federal and various state governments. To therefore answer the question posed in the beginning of this work, there has to be reference to some existing legislations setting up Mobile Courts. In that regard we will start with the Federal Road Safety Act of 2007. Section 10 sub section 8 of the FRSC Act of 2007 provides as follows: ‘The Chief Judge of a State or the Federal Capital Territory, Abuja shall have the power to establish special or mobile courts for the purpose of a speedy trial of traffic offenders under this Act’. Going further, the same Act provided in its Section 10(9) that ‘the Court convicting an offender under this Act may impose a term of imprisonment not exceeding six months in lieu of any of the penalties provided for in the Second Schedule to this Act’. Clearly, the FRSC Act of 2007 has made provisions for a Mobile Court. The query now is who will man this Court and what rules shall regulate such Court? The Law referenced here states that the Chief Judge of a State or the FCT High Court is empowered to set up Mobile Courts. In *H.R.H. Oba Folagbade & Anor v The Governor of Ondo State & Ors*¹², the general administrative work of the Chief Judge was discussed as follows, ‘The High Court laws of every State in Nigeria, as well as the Constitution make provisions for the establishment and appointment of a State Chief Judge, with both judicial and administrative functions. Among the administrative functions of a Chief Judge include overseeing the day to day running of the State judiciary and its administrative and executive functionaries. He indeed supervises and manages and heads the judicial arm of government in the State as well as certain ceremonial

⁷ Monica Rispo, ‘Evaluation of UNDP’S Support to Mobile Courts in Sierra Leone, Democratic Republic of Congo and Somalia’, (2014) New York, UNDP Bureau for Crisis Prevention and Recovery Pg 1 Fn 1.

⁸ Gazi Delwar Hosen and Syed Robayet Ferdous, ‘The Role of Mobile Courts in the Enforcement of Laws in Bangladesh’ *The Northern University Journal of Law* (2010) Vol 1 82-95

⁹ Op Cit

¹⁰ Ibid

¹¹ Vanguard Newspaper of April 3, 2016 available online at www.vanguardngr.com/2016/04/mobile-court-vital-tool-traffic-management-frsc/ accessed on 2/6/2020 at 11:23am

¹² 2007 (LPELR) 4227 CA

functions such as administering the oath of office on a Governor and Deputy Governor on assumption of office. He also assigns cases to ensure the smooth administration of justice in the High Court. Equally, he also oversees the daily affairs of the officers of the lower courts in the State. He sits judicially in High Court number one. The Chief Judge ensures a fair and even distribution and assignment of cases between the judges of the High Court'. Imbued with these powers, the Chief Judge therefore is the authority that constitutes Mobile Courts based on the Law making the said direction. The Magistrate's Court Law of Anambra State¹³ provides in Section 60(1) as follows: 'The Chief Judge may by order appoint the places within any district and the times at which a Magistrate shall sit for the trial of criminal and civil causes and matters and the disposal of any legal business pending'. The same Law follows up in Section 63 thereof where it provides that 'The jurisdiction vested in the Magistrate's Court shall be exercised (as far as regards practice and procedure) in the manner provided by this law and any other written law or by such rules and orders of court as may be made pursuant to this law or any other written law'

It follows therefore that the Mobile Court which is to be constituted by the Chief Judge is allowed to sit in any place so designated by the Chief Judge for purposes of disposal of any legal business. It is also clear that Mobile Courts are to be manned by Magistrate or Magistrates as the case may be.

In Lagos State in 2016, the Lagos State Government inaugurated the Special Offences (Mobile) Court to summarily deal with growing cases of traffic and environmental abuses in Lagos State. It is indeed a welcome development considering the various and recurrent cases of unmitigated infraction of environmental laws and traffic regulations in Lagos State. Traffic and environmental law offenders are liable to the option of fine, imprisonment or both fine and imprisonment upon trial and conviction. Like all statutory penal provisions, the expectation of the Lagos State Government is that the effective enforcement of the relevant laws by the Mobile Courts, will ultimately serve as a deterrent to other would be offenders.¹⁴ Vincent Oniga further wrote that the Lagos State Mobile Courts have jurisdictions to handle matters originating from 'The Lagos State Road Traffic Law, 2012, Street Trading and Illegal Markets Prohibition Law, 2003 and the Lagos State Environmental Sanitation Law, 2000 which have spelt out the various offences with which offenders may be charged, summarily tried and convicted by the Mobile Courts'¹⁵. Some of these offences to be tried by the Mobile Courts as captured by Oniga 'include driving an unlicensed vehicle, driving with a fake vehicle number plate, driving a vehicle with an unauthorized or defective number plate, driving with a forged driver's license, neglect of traffic directions, driving motorcycle without approved crash element by driver and passenger, and operating vehicle within restricted routes or beyond official hours.'¹⁶ Oniga further highlighted the fact that other offences to be tried by the Courts to 'include; driving against traffic, refusing to obey traffic signs like Zebra Crossings and Traffic Lights indications, crossing the highways where Pedestrian Bridges are provided, driving on the BRT by non-designated vehicle and parking at undesignated places, commercial buses on motion with their doors open'.¹⁷ It is therefore clear that Mobile Courts are usually special courts set up by an enabling Law and constituted by the Chief Judge of the State usually with a Magistrate who is designated to preside over such Court in a particular area with jurisdiction to dispose of some legal issues especially in a summary way.

4. Practice and Procedure of Mobile Courts

A Mobile Court as seen so far is at best a Magistrate Court which sits as a Magistrate Court in a designated space for purposes of dispensing justice in the most summary of ways. It therefore follows that since a Mobile Court is presided over by a Magistrate, the practice and procedure of Magistrates' Court in that state shall certainly avail such a mobile Court. It is therefore safe to draw as a conclusion that a Mobile Court is a Magistrate Court that sits for the purposes of dispensing justice in special cases such as traffic offences, sanitation offences among other things and this being so, the composition and practice to be adopted in such court shall be that of a Magistrate Court. In Anambra State as earlier stated, the Magistrates' Court Law regulates the sittings of any Magistrate Court and thus it is expected that the same Law shall regulate the operations of a Mobile Court anywhere in Anambra State. In Cross River State of Nigeria, the State Government in 1985 enacted the Road Traffic Mobile Court Law¹⁸. In that Law, Section 1 established the Mobile Court and seeks to constitute it by appointing a Magistrate Grade Three or a Legal Practitioner appointed by the State Judicial Commission or a retired Police Officer not below the rank of a Superintendent of Police or even a retired administrative officer not below the rank of Principal Secretary to preside over such Mobile Court. The Law in its Section 5 empowered the Court to

¹³ Magistrates' Court Law of Anambra State, 1991

¹⁴ Vincent Oniga, 'Lagos State Mobile Courts', available online at <http://www.odujinrinadefulu.com/content/lagos-state-special-offences-mobile-court> accessed on 5/6/20 at 3.00pm

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Ibid cited verbatim and in full.

¹⁸ Cap R6 Laws of Cross River State of Nigeria

exercise all the powers available to a Magistrate Grade Three under the Magistrates Court Law. It further enjoined the Chief Justice of the State to make rules for practice and procedure of the Court.¹⁹ Nigeria is a federating state of 36 States. What this entails is that each of the federating states is at liberty to enact legislations for their magistrates' courts. It further confirms that the Mobile Courts established in Nigeria are to be guided by the Magistrates' Court Rules of the domicile state. In conclusion on this part one can therefore safely say that Mobile Courts are created by the Law and composed by the Magistrate Court's Law of the domicile state and they are also regulated by the rules of the Magistrate court of that state. For the avoidance of doubt, a Mobile Court is most likely to be manned by a single Magistrate who shall sit as a Magistrate in a Magistrate's Court under the Magistrate's Court Law and Rules of that State. It is further to be noted that a Magistrate Court is a court of summary jurisdiction. Mukoro J submitted that 'the Magistrate Court is a court of summary jurisdiction created to deliver efficient and effective local justice and it represents the first level of criminal justice delivery involving the state, in the hierarchy of courts.'²⁰ As an addendum, Magistrates' Court in themselves are not creations of the Constitution specifically hence Mukoro J stated that 'it is the Constitution that creates Magistrate courts by implication because if power was not given under section 6 of the Constitution, we would have had only the superior courts of record set out in section 6(5) of the said Constitution.'²¹ The eminent jurist further stated that, 'the various magistrate courts laws operating in all the states of the federation find their legitimacy in the above provisions of the constitution, read alongside with the provisions of section 315 of the same Constitution dealing with existing laws. The establishment, constitution, jurisdiction, practice and procedure and grades of Magistrates courts are provided for under these state laws he various magistrate court.'²² It is therefore safe to conclude that the Magistrate Court Law and Rules serve the Mobile Courts as established in most states of the Federation in Nigeria both in composition and practice and procedure.

4.1: Constitutional Provisions for Criminal Trial

For Criminal Trials in Nigeria, the Constitution made serious provisions with a view to protecting the rights and liberty of a defendant. These provisions are mainly seen in Section 36 of the Constitution of Nigeria.²³ In order not to appear verbose, we will start by referring to Section 36(1) which insists that a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such a manner as to secure its independence and impartiality. In *MILAD Imo State v Nwauwa*,²⁴ Iguh JSC pronounced that, 'Without doubt, the right to fair hearing is a fundamental constitutional right guaranteed by the Constitution of Nigeria, 1979 and the breach of which, particularly in trials, naturally, vitiates such proceedings and renders the same null and void.' Thus, a Mobile Court is expected to conform to the requirements of this Constitutional provision. Section 36(4) of the same Constitution provides that, 'Whenever any person is charged with a criminal offence, he shall unless the charge is withdrawn, be entitled to a fair hearing in public within a reasonable time by a court or tribunal'. Obaseki JSC in *Ariori & ors v Elemo & ors*²⁵ pontificated that 'Fair hearing, therefore, must mean a trial conducted according to all the legal rules formulated to ensure that justice is done to the parties to the cause. 'Reasonable time' must mean the period of time which, in the search for justice, does not wear out the parties and their witnesses and which is required to ensure that justice is not only done but appears to reasonable persons to be done.'²⁶ It therefore is imperative that adequate time and opportunity shall be made available for such a person to enable him defend himself. This right though available to the defence will be taken with the available circumstance of the case. In a trial before a Mobile Court one of the issues in contention is whether there was adequate time for the defendant to defend himself? A defendant who suddenly is flagged down for instance by officers of FRSC and directed to a Mobile Court, can he be said to have been given adequate time to prepare for his trial? For such a defendant, is there room for him to consult with a legal practitioner of his own choice as provided for by Section 35(2) and 36 (6b). Are there interpreters that will assist him? These are some of the issues in contention before a Mobile Court and we shall discuss these issues in the next segment of this work under prospects and challenges. One thing certain here is that the Constitutional provisions available for a defendant shall also be available to a defendant appearing before a Mobile Court. Thus, the rights enshrined in Section 35 and 36 of the Constitution in full are expected to avail a defendant before a Mobile Court. The issue of the Mobile Court being a court of summary jurisdiction does not

¹⁹ Section 6(1)

²⁰ 'Access to Justice in the Lower Courts: - Re Examining the Civil and Criminal Jurisdiction of Magistrate Court In Nigeria', a paper delivered by Hon Justice Marshal Mukoro, The Chief Judge of Delta State at the 2016 Conference of All Nigerian Judges of the Lower Courts held at the National Judicial Institute, Abuja from the 21st to 25th November, 2016 at Pg 5.

²¹ Ibid pg 4

²² Ibid

²³ 1999 as amended.

²⁴ (1997) LPELR-1876(SC)

²⁵ 1983 1 SC 13

²⁶ Pg 24

hold water as the Constitution which is the *grundnorm* has made a provision which must be complied with by all cadres of courts in Nigeria.

5. Challenges and Prospects

Just like any other Court system, the Mobile Courts are likely to have some challenges. Part of such challenges may revolve round the technical aspect involving the poor legal awareness of the majority of persons who appear before such courts. The fact that the Court is designed to dispense justice on a fast lane sometimes may lead to justice denial. The suspects before such courts do not have adequate representations contrary to the Constitutional provisions. Again, most of the suspects are not afforded sufficient and adequate time for them to prepare their defence. The reality of a trial before a Mobile Court questions the equality of arms as it pertains to criminal trial when the victim or the suspect is unequally yoked by the State Laws. Since Mobile Courts sit in venues that are not known, the appearance and protection of witnesses before such court leaves a lot to be desired. On another base, the issue of sustaining mobile Courts gives concern for its sustainability. The existing Mobile Courts in Nigeria at the moment have no specific budget. It is doubtful if the agencies that make use of the Mobile Courts have any clear-cut budget for such Mobile Courts. The implication therefore of this is that the Mobile Court not only sits to dispense justice but also to provide for itself the necessary finance for sustainability. Most Mobile Courts in Nigeria do not have support staff from the Judiciary. They are expected to make use of ad-hoc staff not duly trained in the discharge of their judicial functions.

As shown in this work, there is no National Strategy for Mobile Courts in Nigeria. The existing Mobile Courts in Nigeria are established by the State Chief Judge on the authority of the main Legislation that called for its establishment. The lack of a National Policy for Mobile Courts creates a lack of unity in the composition and practice and procedures of the operating Mobile Courts especially as it relates to the FRSC. The Mobile Court sitting in Anambra State makes use of the Laws in Anambra State while that sitting in Enugu State makes use of the Laws in Enugu State. This makes for confusion and since Laws are expected to be clear and certain the suspects appearing before such Courts will certainly doubt the nature of justice obtained in their varied situations. It therefore becomes imperative that there should be a National Policy or Law regulating Mobile Courts and its proceedings. The issue of execution of judgements of Mobile Courts is yet another challenge facing mobile courts in Nigeria. Since their sittings are Mobile, the ability of conviction and the defendant serving appropriate punishment is in doubt. Yet, the issue of security of the Mobile Court is another challenge. Recently in Taraba State, it was reported that irate youths dispersed a COVID 19 Mobile Court sitting in Tella Village Gassol Local Government Area of Taraba State.²⁷ Before then, in 2016, men of the Nigeria Customs Service had already attacked a Mobile Court sitting at Allen Avenue Ikeja Lagos for impounding their cars parked illegally.²⁸ It is therefore obvious that the security of the Mobile Court is porous and poses a challenge. Another critical challenge of the Mobile Court system is the lack of monitoring. The Judiciary in Nigeria is monitored by either the National Judicial Council or the State Judicial Council. Even though a Mobile Court is expected to fall under the State Judicial Commission, it is rather doubtful if the eyes of the State Judicial Commission see in actuality the activities of the Mobile Courts especially Mobile Courts that service the FRSC and or the Sanitation Authorities. There is also the issue of Human Rights abuse in the Mobile Court System. According to Oniga²⁹, Human Rights abuses are a constant re-occurrence as far as the Nigerian citizen and law enforcement agents are concerned. And Mobile Courts may also create an avenue for the Police and task force operatives to detain citizen illegally or without lawful authority. Finally, it is pertinent to submit that the issue of corruption is not solely afflicting the Mobile Court but also the entire judiciary in the country. Whereas conventional courts have means of checkmating corrupt activities, Mobile Courts do not have such and since most of the matters before it are likely revenue matters, the room for temptation becomes higher for the presiding officer.

If the Mobile Court system has the above challenges, is it possible that the Mobile Court shall have any prospects? The answer to this will be in the affirmative in the course of this work. First, the Mobile Court system makes for speedy dispensation of justice without unnecessary technicalities. For most of the offences for which the Mobile Court has jurisdiction, they are strict liability offences which admit of no much defence. Thus, once the defendant pleads guilty the Mobile Court is saddled with just one simple responsibility and that is to pronounce sentence

²⁷ Charles Akpeji, 'Irate Youths Sack COVID-19 Mobile Court in Taraba', The Guardian Newspaper of May, 13, 2020 available online at <https://guardian.ng/news/irate-youths-sack-covid-19-mobile-court-in-taraba/> accessed on 8/6/2020 at 3.56pm

²⁸ Yetunde Abayomi Ojo, 'NCS Apologises over attack on Mobile Court Magistrate', The Guardian Newspaper of 28 June, 2016 available online at <https://guardian.ng/features/ncs-apologises-over-attack-on-mobile-court-magistrate/> accessed on 8/6/2020 at 4.01pm

²⁹ Vincent Oniga, 'Lagos State Mobile Courts', available online at <http://www.odujinrinadefulu.com/content/lagos-state-special-offences-mobile-court> accessed on 9/6/20 at 4.39pm

which in most cases are in the nature of fines. Unlike mainstream judicial services, mobile courts move to the place of occurrence with a complete remedial package such as the magistrate, prosecution, police, etc. The accused, subject to the confession of guilt, can be brought to justice within a few hours.³⁰ Clearly therefore, the Mobile Court system is very efficient in dispensing justice in such matters without the delays usually occasioned by a full and formal trial in a normal court of law. Considering all the limitations, however, these Mobile courts can tremendously improve the overall efficiency of the judicial service for social crimes at least. This is a plus for the Mobile Court System.

Again the Mobile Court system makes for an integral part of the justice system and in its own way assist in the decongestion of the Court system. It is a known position that our Courts are overworked; imagine a situation where courts have as much as 20 matters on the case list for a single day. One can therefore go further and imagine the position of this court where matters being handled by Mobile Courts are also introduced to be handled by these overworked courts. To buttress the importance of Mobile Court in not just traffic matters et al, it is submitted that in Congo DR, 'Mobile Courts are deployed to remote locations to enable access to justice for victims unable to travel to courts in towns and cities. Everything about the courts is temporary: the court is housed in a community centre or town hall, with magistrates, a registrar, a bailiff, defence attorneys and lawyers brought in from the closest towns and cities. Mobile courts remain in a given location for a period of between one and two months, hearing as many cases as possible'.³¹The Mobile Court system also assists in creating access to justice since most of its sittings are brought closer to the offender. Ordinarily, it costs a typical defendant in a Criminal matter to access the Court for his case. The Mobile Court goes to the defendant in this case thereby reducing the cost of representation for the defendant since the defendant can easily defend himself.

6. Conclusion and Recommendations

This work has actually opened our eyes to the Mobile Court system in Nigeria. The work does not boast of exhaustive treatment of the subject matter of this discourse but has raised the ante for other researchers to look into it. The author here sees the Mobile Court as something that should be encouraged and strengthened. Some countries³² through the UNDP have established Mobile Courts with a view to dispensing justice to the citizens at a lesser cost. Malaysia has also introduced same³³. Like every aspect of life, the Mobile Court system is imbued with challenges but there are also prospects which we can utilize to the maximum. The author therefore recommends as follows: There should be a comprehensive national policy or legislation on Mobile Courts. This policy or legislation will deal with the establishment, composition, practice and procedure of the Mobile Court system in a harmonized manner. Since the existing Mobile Courts are manned by Magistrates, the nation should adopt that option as Mobile Courts in other countries like India are manned by Senior Magistrates. There should be a combination of the tripod of justice at the venue of any Mobile Court sitting. This will make for both security of the Court and parties appearing before it and as well the legal officers. The Mobile Courts should conform to the provisions of the Constitution especially as it relates to the human rights of persons appearing before it and where representation is made, the legal personnel should be allowed to defend his client to the best of his ability. There should be more support to the Mobile Court in terms of infrastructure both human and materials. It is suggested further that the Mobile Courts should leverage on technology in the dispensation of justice. There should be massive awareness program on Mobile Court and its operations. This will assist the citizens to not only know of Mobile Courts but also to cooperate with the officials of the Mobile Court. It is also recommended for there to be media participation in the Mobile Court. This will also encourage fairness and proper monitoring of the personnel of Mobile Courts outside the authority saddled with the responsibility to monitor the Mobile Court.

³⁰ Sohel Rana, 'Mobile Courts can make a difference', The Daily Star Newspaper opinion of March 1, 2017 available online at <https://www.thedailystar.net/perspective/mobile-courts-can-make-difference-1368808> accessed on June 11, 2020 at 10:40am

³¹ Tessa Khan and Jim Wormington, *Mobile Courts in the DRC: Lessons From Development for International Criminal Justice*, available online at https://www.academia.edu/6645181/MOBILE_COURTS_IN_THE_DRC_LESSONS_FROM_DEVELOPMENT_FOR_INTERNATIONAL_CRIMINAL_JUSTICE accessed on 11/6/2020 at 11:01am

³² Sierra Leone, Democratic Republic of Congo and Somalia

³³ www.unodc.org › dohadeclaration › news › 2019/12