



MINISTRY OF JUSTICE
KADUNA STATE, NIGERIA

**THE GUIDELINES FOR APPLICATION FOR FIAT TO PROSECUTE CRIMINAL CASES
IN COURT**
FROM THE OFFICE OF THE ATTORNEY-GENERAL OF KADUNA STATE

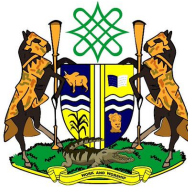
CONSEQUENT Upon the need to develop and ensure speedy criminal trials in Courts of law in Kaduna State of Nigeria;

AND PURSUANT TO THE POWERS OF THE ATTORNEY-GENERAL OF KADUNA STATE under Section 211 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) to institute, undertake, take over, continue and discontinue criminal proceedings against any person before any Court of Law in Nigeria.

AND IN ORDER to promote Legal practice and improve on the standard of criminal trials in the High Courts and Magistrate Courts of Kaduna State through the deployment and engagement of experienced private legal practitioners in Criminal Prosecution of cases in the State.

Henceforth, the guidelines for application for FIAT TO PROSECUTE CRIMINAL CASES IN COURT are as follows:

1. The applicant for Fiat to prosecute a criminal case(s) must be a legal practitioner called to bar in Nigeria and in active legal practice for at least 3 years post call.
2. The Applicant must have a functional law office/chambers or an address for service with a functional law office/chambers within the jurisdiction of Kaduna State of Nigeria.
3. The applicant must have paid Practicing Fees to the Supreme Court of Nigeria as at when due and had also paid Tax to the Kaduna State Board of Internal Revenue of Kaduna State for the year (year of application).
4. The Applicant must attach to the letter of application the following:
 - a. Two Passport photographs.
 - b. A letter of instruction from the nominal complainant in the charge before the Court.
 - c. A Certified True Copy of the charge Sheet before the Magistrate Court and Summary of the facts of the case and intended witnesses.
 - d. Evidence of payment of practicing fees and tax for the year.



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5. The Applicant must register with the office of Department of Public Prosecution, Kaduna State Ministry of Justice with a verifiable office address and telephone Number(s).
6. All Applicants must submit a written progress report (of case(s) assigned to them) to the office of Attorney-General every three (3) months (quarterly).
7. A Private Legal Practitioner handling a criminal trial/prosecution on behalf of the office of Attorney-General, shall not enter into plea bargain arrangement or out of court settlement without the prior consent and authority of the Attorney-General of Kaduna State.
8. The Director of the Department of Public Prosecution (D.P.P) is hereby designated to supervise and monitor private legal practitioners handling criminal prosecution on behalf of the office of the Attorney-General.
9. Members of the General Public and the courts in charge of Criminal trials may by a letter addressed to the Attorney-General of Kaduna State complain of any misconduct or unethical conduct of any private legal practitioner prosecuting criminal trials.
10. Criminal cases prosecuted by private legal practitioners with the fiat of Attorney-General of Kaduna State are pro bono services and should attract NO REMUNERATION from the nominal complainant or the office of Attorney-General.
11. Following the grant of a fiat to prosecute, the Private legal practitioner shall transmit a copy of the letter of grant to the Police Prosecutor (For Magistrate Court Cases), Commissioner of Police and file a copy in the records of the trial court.
12. A private legal practitioner granted fiat to prosecute Criminal cases by the Attorney-General shall not handle more than 5 cases at a time.
13. These Guidelines shall take effect from 1st of January, 2021.

Private legal practitioners handling cases at the trial court before coming into effect of these guidelines, should continue to appear in those cases pending the regularization of their applications.

These guidelines were issued under the hand of the Attorney-General of Kaduna State.

Aisha Dikko, Esq.
Honourable Attorney-General & Commissioner for Justice
Kaduna State