

*Increasing Awareness and
Engagement of the*

House of Representatives Committee on Public Petitions



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OVERVIEW OF THE PUBLIC PETITIONS COMMITTEE

The House of Representatives Committee on Public Petitions is designated a Special Committee by virtue of Order 18 Rule 1 of the Standing Orders of the House of Representatives which accords this status to 7 Committees¹. It is due to this special status for instance that the House of Representatives Public Petitions Committee is required to be constituted within the first thirty legislative days of the first sitting of a New Assembly². This privilege is not accorded to the other Standing Committees of the House of Representatives whose constitution is at the discretion of its leadership.

In part, the special status accorded by the Rules of the House of Representatives may be due to the symbolic role the Committee plays in enabling a mechanism of access for citizen engagement with the Legislature in its scrutiny against arbitrary power or excesses of government agencies.

In the 8th National Assembly (2015-2019), the House of Representatives Public Petitions Committee received 1,192 petitions on various subjects calling for its intervention.

PETITION/PETITIONER AND RESPONDENT

While there is no formal definition of a petition in the House of Representatives Standing Rules, it can be described as a formal written request made to an authority or organized body³. Following this, the person who makes such request is referred to as a **petitioner**

1 Order 18 Rule 1, Standing Orders of the House of Representatives, Ninth Edition, 2016

2 Order 18, Rule 1, Standing Orders of the House of Representatives, Ninth Edition, 2016

3 <https://www.merriam-webster.com/dictionary/petition>

while the person who it seeks relief against is referred to as the **respondent**. There can be more than one petitioner and respondent on a petition. Also, while private or corporate personalities can present a petition, the language of sections 88 and 89 of the 1999 Constitution (as amended) appear to limit respondents to public agencies and officers.

JURISDICTION OF THE PUBLIC PETITIONS COMMITTEE

Order 18 Rule 5 of the House Standing Rules provides for the jurisdiction of the Public Petitions House of Representatives Committee as follows:

- (a) **Oversight of the Public Complaints Commission** - The Committee directly oversees the Public Complaints Commission, a government agency which investigates administrative injustices by carrying out investigative oversight over its activities or on the conduct of any person or authority of the agency charged with the responsibility of executing or administering law or disbursing moneys appropriated to it by the National Assembly⁴.
- (b) **Power to consider the subject matter of all petitions referred to it and report to the House of Representatives from time to time, its recommendations on actions to be taken thereon, together with such other observations on the petitions-** The Committee has power to consider petitions referred to it by the House of Representatives or by a Committee . However, the Committee will limit itself to fact finding and making recommendations that may be later adopted by the House of Representatives.

4 Guide to Legislative Oversight in the National Assembly, PLAC, 2016

- (c) **Annual Budget estimates** - Following the Executive's presentation of the annual budget to the National Assembly, the Public Complaints Commission is expected to defend its budget to the Committee on Public Petitions which directly oversees its agency.

It is noteworthy that the outlined areas of jurisdiction given to the Committee under its Standing Rules are derived from section 88(1) of the 1999 Constitution (as amended).

AREAS OUTSIDE THE PUBLIC PETITIONS COMMITTEE'S JURISDICTION

- The Committee shall not investigate matters pending before any court of Law in Nigeria
- The Committee has no jurisdiction to investigate matters between two private citizens⁵
- The Committee shall not investigate any matter or thing over which the National Assembly has no powers to make Laws⁶
- The Committee is not mandated to make Laws or Resolutions⁷

CHALLENGES FACING THE PUBLIC PETITIONS COMMITTEE

Volume of Work- The Mandate of the House of Representatives Committee on Public Petitions allows for its unparalleled engagement with Nigerian citizens who may present petitions on issues or

5 <http://placng.org/wp/wp-content/uploads/2016/06/PUBLIC-PETITION-REPORT.pdf> page 26

6 <http://placng.org/wp/wp-content/uploads/2016/06/PUBLIC-PETITION-REPORT.pdf> page 23

7 <http://placng.org/wp/wp-content/uploads/2016/06/PUBLIC-PETITION-REPORT.pdf> page 28

grievances on matters relating to the conduct of the affairs of public offices to the Committee. As Petitioners do not have to pass through the formalities or financial burden of going through the court system, the Public Petitions Committee is an appealing channel for petitioners to present their cases to be investigated and heard.

However, this could create problems as the Standing Rules⁸ provide that the Committee should consist of no more than 40 members who most often than not, belong to other Committees in the National Assembly and may be unable to give the Petitions Committee undivided attention. Thus, the capacity of the Committee is often inadequate or constrained to meet the volume of cases it is presented with. This is made worse by the existing structure that only enables the Federal Legislature or National Assembly hear public petitions.

This position is different from the UK parliament which stipulates a threshold of 100,000 signatures for an e - petition to be debated as a measure of gauging public interest on an issue. For instance, in 2019 the e-petition to "Revoke Article 50 and remain in the European Union⁹" received over 5.7 million signatures being the highest in the history of e-petitions in the UK¹⁰. The previous record was held by a 2016 petition calling for a "second referendum on Brexit" with over 4.1 million signatures and in 2017, "A petition to prevent President Trump from making a state visit to Britain" received about 1.9 million signatures¹¹.

In the 7th Assembly, the House of Representatives Public Petitions Committee received a total of 539 Petitions. This number increased to

8 Order 6 Rule 32, Standing Orders of the House of Representatives, Ninth Edition, 2016

9 <https://www.washingtonpost.com/world/2019/03/21/can-brex-it-be-stopped-people-are-trying-so-hard-that-parliaments-website-is-broken/>

10 <https://www.washingtonpost.com/world/2019/03/21/can-brex-it-be-stopped-people-are-trying-so-hard-that-parliaments-website-is-broken/>

11 <https://www.washingtonpost.com/world/2019/03/21/can-brex-it-be-stopped-people-are-trying-so-hard-that-parliaments-website-is-broken/>

1,192 in the 8th Assembly.

High Turn Over of Legislators - The high turnover of Legislators during and after each Assembly with a change to its composition of Members, limits the efficiency and effectiveness of the Committee. In such instances where new members are first time Legislators, time and effort are taken to get acquainted with the mandate of the Committee in the National Assembly and build their capacity. In the 9th Assembly, only 5 of the 33 Members in the House Committee on Public Petitions were retained as Members of the Committee from the 8th Assembly.

Non-compliance with Resolutions of the National Assembly -

Another limitation to the efficiency and effectiveness of the Committee is in the area of non-implementation with Resolutions adopted by the House of Representatives following the Committee's recommendations. This issue can arise when;

- i. Some implementing partners including the general public, Ministries, Departments and Agencies are not aware of the powers and jurisdiction of the Committee and are not involved in the entire process.
- ii. Passed resolutions are not practicable or enforced.

However, as the Public Petitions Committee deals mostly with the affairs of the ordinary citizen in the society who are unjustly treated in their place of work or in their dealings with the bodies or institutions petitioned against¹², it is imperative that its resolutions adopted by the House of Representatives are implemented to enhance citizen engagement and trust in the Legislature.

12 Paper delivered by Rt. (Hon) Barr. Ughanze Nnaemeka Celestine , National Assembly Petition Committees and CSOs ,PLAC, 2015

Following this, it is important that the work and mandate of the Committee is visible and familiar to the public, so that citizens are aware of the process and procedures of filing petitions¹³ in addition to understanding the powers and mandate of the Committee. This is particularly so as a lack of information on the side of the public may invariably affect the optimal achievement of its mandate.

THE CASE FOR E-PETITIONS & STRATEGIES FOR INCREASING AWARENESS OF THE PUBLIC PETITIONS COMMITTEE

Although petitions have existed in society for centuries, electronic petitions (e-petitions) have become increasingly popular in the 21st century. Some notable parliaments that have adopted the use of electronic petitions (e-petitions) include the United States Congress, the United Kingdom's House of Commons, the Scottish Parliament and the European Parliament to name a few.

In Nigeria, the standing order of the Public Petitions Committee requires a petition to be handwritten and affixed with original signatures of petitioners. While this validates the originality of a petition, some countries around the world have adopted the use of an e-petition system that promotes efficiency and output. Best practices around the world also seem to involve both the use of paper and e-petitions.

In addition to the reduced effort and costs associated with submitting paper petitions, some of the identified advantages of the e-petition system include;

13 House of Representatives: Procedure for Hearing of Public Petitions, PLAC, 2019

- Increased transparency and legitimacy of political systems
- More efficient petitions collation and record keeping system
- Enhanced political participation by citizens
- Increased public opinion and improved public perception of the National Assembly

However, it is noteworthy that a majority of petitions received by the Public Petitions Committee are characterized by personal grievances between petitioners and respondents.

For example, in the 7th Assembly (2011-2015), the House of Representatives Committee on Public Petitions had a total of 75 resolutions out of which 48% were petitions on work place grievances such as unlawful dismissal/termination of appointment or wrongful retirement from service and non-payment of benefits.

As pointed earlier, this position is different from the UK parliament which stipulates a threshold of 100,000 signatures for an e - petition to be debated as a measure of gauging public interest on an issue. For instance, in 2020 an e-petition to "Support the British aviation industry from the COVID-19 outbreak" had 102,108 signatures leading to a Government response for an arrangement of measures to support companies impacted by COVID-19 including the aviation industry. Similarly, a petition "Requiring Councils to Suspend Council Tax Payments During the COVID-19 outbreak" had 105,823 signatures with the government responding by providing comprehensive support to individuals and households impacted by COVID-19 including a £500 million pound hardship fund for those in receipt of working age council tax support.

However, although a majority of petitions received by the House of Representatives Public Petitions Committee are personal, this is not to say that some petitions involving some community interests are not received. Nonetheless since it is established that e-petitions are capable of bridging the gap between a Legislator and the petitioner, with reference to the aforementioned record from the UK Parliament, this trend may invariably translate into an increased engagement with citizens due to a higher number of petitioners who may otherwise not have been able to file a petition due to constraints such as distance, accommodation costs, etc.

Utilising an e-petition system will undoubtedly revolutionize the availability and reach of the Public Petitions Committee as it facilitates quick and expansive communication between citizens and the Legislature. Any citizen with a smart phone or computer with internet connectivity will be able to raise issues for consideration which will consequently increase public awareness of the Committee and its mandate.

RECOMMENDATIONS TO IMPROVING AWARENESS OF THE HOUSE COMMITTEE ON PUBLIC PETITIONS

Development of a Mechanism to Ensure Compliance with Resolutions - The work of the Committee would be incomplete and counterproductive if strict adherence is not given to the Resolutions passed by the National Assembly. It is important for the Committee and the National Assembly that the Public and other stakeholders adhere to them, as this will further strengthen the work of the Legislature and the smooth and efficient running of democratic governance. The Committee should commit to developing a mechanism that will ensure that the public and other stakeholders obey resolutions passed by the National Assembly.

Deployment of Technology and Social Media - The Committee should aim for full scale deployment of modern technology and mainstreaming digital/technical corporate culture in its records/data management and stakeholder engagement¹⁴ It could also deploy technology in increasing public awareness through electronic newsletters, media campaigns¹⁵, live streaming of its hearings in addition to providing information on its work through social media tools like Facebook and twitter for instance. The disaggregation of data through proper records/data management will also aid the Committee to monitor its users, their sex and class which can help it assess its reach and make proper adjustments where necessary.

Engagement and Partnership with Civil Society Organisations - Civil Society Organisations (CSOs) remain critical stakeholders to the advancement of human rights. CSOs can partner with the Committee on Public Petitions to educate the public on the powers and duties of the Committee.

Capacity Building of Members and Staff – Due to the high turnover of Legislators in each Assembly and a change in constitution of membership, there is need for Members and staff to improve on their skills and competencies required to increase the efficacy of the Committee. This could also involve carrying out an evaluation or a needs assessment of its capacity in addition to partaking in trainings. As the secretariat serves as the institutional memory of the Committee, there is need to strengthen its capacity to provide continuity during the transition and induction of new and returning Legislators.

14 Barr. Kachi Okezie, improving on the Modalities and Mechanism for Implementing the Committee’s Decisions and Recommendations

15 Dr. Aminu Umar, Fostering Visibility and Public Awareness of the Public Petitions Committee’s Dispute Resolution Mechanism, 2014

Exploring the Possibility of the Public Petitions system at State Level - Due to the large volume of public petitions that the Committee receives and the fact that petitioners and respondent(s) may have to travel from across the country, there is need to explore the possibility of having a Public Petitions Committee at the State level.

CONCLUSION

The House of Representatives Committee on Public Petitions is an important Committee capable of transforming citizens experiences in their interface with the Legislature. However, the current mechanism of providing citizens with a voice to participate in decision making and democracy can be improved through the implementation of the recommendations contained in this publication.

LIST OF MEMBERS OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS

Hon. Jerry Alagboso - **Chairman**
Hon. Lawal Kenken - **Deputy Chairman**
Hon. Abdul Saidu Musa
Hon. Abdullahi Saidu Musa
Hon. Adaramodu Yemi
Hon. Adejare Samuel Babatunde
Hon. Agbedi Federick
Hon. Akintola Oluokun George
Hon. Atigwe Simon Chukwuemeka
Hon. Barwa Shehu Beji Bitrus
Hon. Dederi Haruna Isa
Hon. Edim Etta Mbora
Hon. Emerengwa Boniface Sunday
Hon. Enyong Micheal Okon
Hon. Gbillah M Terseer
Hon. Hassan Abudakar Nalaraba
Hon. Ikengbolu Gboluga Dele
Hon. Kalu Benjami Okezie
Hon. Laori Kwamoti Bitrus
Hon. Lawal Idrisi
Hon. Maishinko Mani
Hon. Mohammed Musa Pali

Hon. Mohammed Umar Bio
Hon. Mohd Gudaji Kazaure
Hon. Obi Pascal Paschal
Hon. Ogbeide-Ihama Omoregie
Hon. Ogor Leonard Okuweh
Hon. Onanuga Adewumwi Oriyomi
Hon. Salam Bamidele
Hon. Simon Elisha Karu
Hon. Sylvester Ogbaga
Hon. Yakubu Umar Barde
Hon. Yusuf Adamu Gagchi Gagdi
Hon. Yusuf Adamu Gagdi
Hon. Zacharias David Idris
Hon. Zannah Usman

Committee Secretariat

Pastor Yilji Yakubu - Clerk

Echiegu Ignatius Chuka - Assistant Clerk

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Policy and Legal Advocacy Centre (PLAC) is a non-governmental organization committed to strengthening democratic governance and citizens' participation in Nigeria. PLAC works to enhance citizens' engagement with state institutions, and to promote transparency and accountability in policy and decision-making processes.

The main focus of PLAC's intervention in the democratic governance process is on building the capacity of the legislature and reforming the electoral process. Since its establishment, PLAC has grown into a leading institution with capacity to deliver cutting-edge research, policy analysis and advocacy. PLAC receives funding support from donors and other philanthropic sources.