

**WHY SEXUAL DEFILEMENT OF FEMALE MINORS IS NOT REPORTED IN
LAGOS STATE, NIGERIA**

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Abstract

One of the problems that make it difficult to fight sexual defilement of minors is non-report of the cases to law enforcement agencies in the country. This study, therefore, investigated the reasons why victims of sexual defilement of minors and their parents would not report incidences of defilement to authority. The study adopted descriptive survey design. Data were collected through qualitative and quantitative methods. These involved two in-depth interviews and 100 questionnaire survey of court officials (77) and social workers (23). Qualitative data were analysed using content analysis, while quantitative data were analysed using frequency distribution. Fifty – Six percent of the sampled court officials were female; 79.0% of them were married and 81.0% of them had between 1 to 3 children.

Discomfort for victims and parents (mean = 4.08); shame that the incidence brought (mean = 4.56); compensation paid by offenders (mean = 3.31); stigma (mean = 4.71); unfamiliarity with legal remedies (mean = 3.87); mistrust of the police (mean = 3.92); not trusting the court (mean = 3.22); fear of more attack from offenders or their families (mean = 3.41); fear that parents may be alleged of child negligence (mean = 3.29) and when offender is a family member or relative (mean = 4.24) were the reasons identified why victims and their parents would not make official report of cases of sexual defilement. Non-reported cases of sexual defilement of female minors were not a good step in right direction because it does not give room for justice in the society. Mass awareness on the reasons why sexual defilement of minors should be reported, familiarity with legal remedies and creation of conducive social environment to report cases of sexual defilement were recommended.

Key words: sexual defilement, prosecution, court, report, victims, Lagos

Introduction

The issue of sexual defilement has become a recurrent social phenomenon. It is a kind of sexual offence within the spectrum of sexual violence and rape. The act maybe carried out by physical force, coercion, abuse of authority or against a person who is incapable of valid consent, such as one who is unconscious, incapacitated, or below the legal age consent. In recent years it has become not only a far rampant phenomenon but an almost a daily issue. The incidence of sexual defilement in Lagos has tremendously increased due to cosmopolitan nature of the state and the consequent effect of the classification of the state as a mega city.

The sexual defilement of children in the state is perhaps the highest in the country, though there seems to be no central statistics to refer to as basis. However, the frequent reports of the incidences over the media show that the rate is very high in Lagos state.

The problem of sexual defilement from judicial experiences has been very difficult to tackle. In some of the cases, the perpetrators were not brought to book. This study was carried out therefore to uncover the reasons why perpetrators may not be reported or booked.

Statement of problem

The problem of sexual defilement of children is pretty difficult to deal with in our society. The experiences have shown that most perpetrators were usually close to the victims. In most cases, they were family members. Hence, most of the cases were not usually reported to the police. Furthermore, the few ones reported were not usually charged to courts because of the influence of the family members of the victims.

Justification of study

The high rate of sexual defilement of minors in Lagos metropolis, as being reported in the dailies, has become a great worry to the parents, concerned non-governmental organizations and the government of the state as well. The non-cooperation of the parents

and the victims in reporting cases of sexual defilement of minors is also a source of problem in dealing with the situation. Hence, it is worthwhile, therefore, to conduct this study in order to investigate the reasons why parents or guardians of the victims would not report the cases of sexual defilement of the minors to the law enforcement agencies. The study would serve as a vital tool in the hands of criminologists, social workers, law enforcement agencies, the academia, the government and other stakeholders in the matters pertaining to the minors in our society.

Research question

The research question posed by this study is:

What are the reasons why the parents/guardians would not report cases of the sexual defilement of their children?

Objective of the study

The following was the objective of this study:

to find out the reasons why parents/guardians would not report cases of sexual defilement of their minors.

Scope of the study

The centre-piece of this study was to study sexual defilement of minors in Lagos state. The study was restricted to the reasons why cases of sexual defilement of minors may not be reported. Cases of sexual defilement of minors occur throughout the country but the scope of this study was restricted to Lagos state only, where the cases were assumed to be very high as reported in the media.

Limitations of the study

The social problem of sexual defilement of minors cuts across every part of Nigeria. However, because of time and resources, the study was limited to Lagos state only. Aside the limitation of time and resources, accessibility to proceedings of the cases on sexual defilement of minors was denied by the courts involved, this unfortunately limited the strength of the study. The study relied only on primary data which, however, paid off for the limitation.

LITERATURE REVIEW

Introduction

The social problem of sexual defilement of minors is very common in every society of the world. In Nigeria, for instance, the problem is gradually becoming alarming. Nnadi (2012) argued that rape, indecent assault, incest and defilement of the minors are some common sexual assaults that women in Nigeria are confronted with. It is the same story in other African countries like Uganda where incest, forced marriage, early marriage and sexual defilement of minors are now very rampant (Muhwezi et al, 2011). Although, statistics do not show so many reported cases of child sexual abuse in Nigeria (Bejide, 2014), however, the daily reported cases in the print and electronic media showed that it has become a worrisome problem in Nigeria. The notorious cases of forced marriage and sexual defilement of the minors is on the increase, especially in the Northern part of Nigeria.

The constitution of a sexual offence varies between societies and within society over time. Issues relating to gender, age, relationship, aggression, consent and location all influence

whether a particular sexual act is considered an offence or not (Kanyanya et al, 2007). However, the World Health Organization (WHO) defines sexual violence or offence as any sexual act, attempt to obtain sexual act, unwanted sexual comments or advances using coercion, threats of harm or physical force, by any person regardless of relationship to the survivor, in any setting (Beninger, 2013). Sexual defilement is child sexual abuse at the hands of an adult (Finkelhor et al, 2014) it is the offence of rape of children (Morhe and Morhe, 2013). It is an act of having carnal knowledge of a girl who is a minor without her consent or under duress (Nnadi, 2012). Defilement of young girls is pervasive globally as babies from the cradle are not spared (Nnadi, 2012)

One may ask: who are the people that are likely to be perpetrators of sexual defilement of minors? In most cases, abusers are people who are close to the child. It may be a biological parent, or a step parent, uncles, cousins, grand parent or an extended relative or a care giver. It may be on some occasions the neighbours, employers or a police officer (Bejide, 2014, Finkelhor et al 2014 and Sampson and Hart, 2013) or soldiers called upon to keep peace during conflict or war (O'Brien, 2011).

A previous study showed that more young people were involved in sexual defilement than older people, but this offence was not limited to a particular age group of perpetrators and the vast majority of the offenders were usually non-professionals, comprising the lower socio-economic class of population (Kanyanya et al, 2007). The studies conducted on sexual defilement have shown that victims were usually girls and that majority of the offenders of defilement and attempted defilement target minors (Beninger 2013 and Kanyanya et al, 2007). Hence, this work is pertinent and would add more values to the existing pool of knowledge on sexual defilement of minors and the laxities involved in prosecution of the offenders involved.

Legal issues on sexual defilement

The issues of sexual defilement of minors is not a domestic matter to every nations of the world but a matter that is also rooted in the international laws to which many of the countries are signatories. Sexual defilement of female minors is a crime of violence against children. The right to be free from violence is protected in a number of international and regional human rights instruments. Both the convention on the Rights of the child (CRC) and the African Charter on the Rights and Welfare of the Child (African Children's Charter) specifically protect the right of children to be free from all forms of psychological and physical violence under articles 19 and 16 respectively (Yusuf and Fessha, 2013).

Sexual defilement of female minors is an act of violence. Sexual defilement is defined under section 218 of the criminal code of Nigeria as 'any person who has unlawful carnal knowledge of a girl under the age of 13 years is guilty of a felony and is liable to imprisonment for life (Onyejekwe, 2008). Sexual defilement of female minors falls within the purview of violence against women. The declaration on the elimination of violence against women (DEVAW), adopted by the United Nations General Assembly in 1993, defines Violence Against Women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women (Onyejekwe, 2008). The UN Declaration specifies that rape, marital rape and sexual abuse (sexual defilement of minor included) are forms of violence against women.

In Nigeria criminal code, defilement of girls under 13 years, householder permitting defilement of young girls on his premises, defilement of girls under 16 years, but above 13 years, indecent treatment of girls under 16 years; causing or permitting seduction of a girl

under 16 years, allowing persons under 16 years to be in brothels, abduction of girls under 18 years with intent to have carnal knowledge of her, featured prominently and stipulated punishments for each of the categories of the offences. In Uganda, Sekiwunga and Whyte (2009) argued that there is an imprisonment for defilement of female minors. The defilement law prescribes a heavy punishment for sexual relationship with a girl under 18 years, even if the relationship is consensual and the partners are of the same age. However, some nations failed to enforce the laws meant to protect girls and their constitutional human rights. When a state fails to investigate defilement claims, the right to equality and freedom from discrimination, security of the person and right to access justice of the minor female victims are denied (Sampson and Hart, 2004). This may be as a result of poorly defined criminal laws and weak law enforcement which creates an environment where sexual violence is committed with impunity.

Legal definitions are therefore crucial in ensuring that perpetrators are punished (Onyejekwe, 2008), laws need to be applied to combat sexual abuse of minors (Evans, 2013).

Reasons and causes of sexual defilement

There are many obvious reasons why perpetrators of sexual defilement were motivated to commit the crime.

Jewkes et.al (2010), in their study included wanting of sex from the girl involved, experimenting with sex, peer group influence, anger against or as a punishment for the girl and boredom are motivational reasons why adult defile female minors. Another reason identified was the possibility that there would not be consequences, especially when very young female children were involved.

The genesis of sexual violence (sexual defilement included), is rooted in the social and cultural norms that entrench patriarchal gender relations and perpetuate discrimination and inequality of girls (Beninger, 2013). This created problems of sexuality which is very much a socio-cultural invention that is closely linked to power and to the process of subjugation. How we 'do' and experience sexuality is influenced by our society and culture. How and with whom we have sex are all forms of learned behaviour from our culture and society (Tamale, 2014).

Another cause of sexual defilement of female minors is exposure to sexually explicit materials. Kanyanya et.al (2007), argued that there was a link between sexually explicit materials and pre-occupations with thoughts about sex and sexual defilement offence.

Poverty is another factor identified as a cause of sexual defilement of female minor children. Kaye (2008) argued that overall economic circumstances which compel minors to engage in sex trade to provide support for themselves and their parents were a strong cause of sexual defilement of minors in the society. Beninger (2013) argued in the same way that some girls engage in transactional sex under economic pressure in order to afford school fees or obtain money to spend, or to secure good grades. The author added poor disciplinary standard and a culture of impunity for sexual misconduct and imbalance of power between girls and male counterparts as other factors.

Virginity is another cause of sexual defilement of minor female children. In south Africa and Zimbabwe, Tamale(2014) wrote that many young women voluntarily submit themselves for virginity test in a bid to gain public approval, response to demands for communal belonging and on account of the dignity and pride associated with it. However, such virginity test may open up such young women to sexual defilement from the adult

male in the society. Bajaj (2008) in her study of Zambia society argued that sexual defilement of virgins is a common phenomenon because of the belief by older men that having unprotected sex with a virgin can cure HIV. Hence, many minor female children have been defiled and this also exacerbated the spread of the disease. This is a virgin sex cure for HIV (Jewkes, et.al, 2010)

Another cause of sexual defilement of minors is psychiatric problem in offender; Kanyanya et.al (2007) identified psychiatric morbidity or implicit personality disorder as cause of sexual defilement. Other factors identified by the authors are; substance use disorder, paraphilia, bipolar disorder, anxiety disorder and anti-social personality disorder. Kanyanya et.al (2007) also signified family variables, socio-economic factors, history of sexual abuse, impaired family functioning and alcohol, as other factors which may propel people to offend laws on sexual defilement.

Finally, conflict and war in the society may cause a big chance for the adult male fighters to engage in indiscriminate sexual defilement of minor female children. Blunt (2000) gave the historical explanation of how minor female British Nationals were defiled during the years of Indian mutiny. The exposure to conflict for a long time has implications on people's sexual integrity. Women and girls were more likely to be victims of sexual abuse associated with the war and conflict. Reports of girls and women that had been victims of rape and defilement at the hands of rebel fighters were common. Therefore, during war, the possibility of sexual abuse of women and girls is known to be high (Wuhwezi et.al, 2011).

Consequences of sexual defilement on the victims

Sexual defilement has a lot of bad consequences on the victims. These are consequences that are lasting and very profound on the victims, even throughout the continuum of life. However, these effects or consequences of sexual defilement vary from victim to victim depending on a variety of factors. According to Bejide (2004), such factors include the age of the child when defiled, the personality of the abuser to the victim and the reaction of those whom the defiled child decides to share his experiences with.

Sexual defilement has many psychological effects on the victims. The first psychological effect is traumatic sexualisation which is a process in which a child's sexuality (including both sexual feelings and sexual attitudes) is shaped in a developmentally inappropriate and interpersonally dysfunctional fashion, as a result of sexual abuse (Finkelhor and Brown, 1985). Defilement evokes not just anxiety and fear, but disgust (Seidman, 2013). Other effects according to Bejide (2014) included depression; dissociation; hostility; anger; impaired relationships; low self-esteem; and sexual dysfunction; sleep disturbance; suicidal ideas and behaviour and substance abuse. There is obviously a serious emotional and psychological impact for girls who experience abuse (Beninger, 2013). Hence, victims of defilement suffer adverse psychological effects long after the offence has been committed. Victims were found to present psychiatric problems, somatic manifestation and disturbances in instinctive functions (Morhe and Morhe, 2013).

Sexual defilement also has a serious health implication on the victims. It leads to adverse long term health consequences. For instance, HIV/AIDS is a cause and a consequence of sexual exploitation of children (Morhe and Morhe, 2013). Sexual defilement, therefore, spreads sexually transmitted infections (Beninger 2013). Pathogens can be transmitted indiscriminately and unknowingly; contamination through bodily contact can spread exponentially (Seidman, 2013). Morhe and Morhe (2013) argued that some victims get

pregnant and are also susceptible to long term health problems associated with early motherhood. Hence, sexual defilement causes unwanted pregnancy (Beninger, 2013). In area of education of the victims, sexual defilement severely affects the ability of girls to participate in school, and it therefore fully affects their right to education. It perpetuates gender discrimination and inequality, especially when it goes unnoticed and unpunished (Beninger, 2013).

Sexual defilement of minor female also has extensive consequences and devastating effects on the families and the communities at large (Nnadi, 2012). It causes enormous emotional pain and suffering to the victims and families in area of huge economic losses (Kanyanya et al, 2007). These economic losses and hardship are often associated with teenagers' pregnancy and attendant complications (Morhe and Morhe, 2013).

Sexual defilement would also create a problem where the victims would not trust people again. This is a problem of betrayal which refers to the dynamic by which children discover that someone on whom they were virtually dependent has caused them harm (Finkelhor and Browno, 1985). Another effect is powerlessness or disempowerment, the dynamic of rendering the victim powerless. It refers to the process in which the child's will, desires and sense of efficacy are continually contravened (Finkelhor and Browno, 1985). The defiled is often considered a predatory figure engendering a trail of suffering and ruin (Seidman, 2013).

Stigmatization is another effect. This refers to the negative connotations (e.g badness, shame and guilt) that are communicated to the defiled child around the experiences and is then incorporated into the child's self-image. It may come from the abuser or reinforced by attitudes that the victim infers or hears from other persons in the family or community (Finkelhor and Browno, 1985).

Finally, sexual defilement may also lead to the death of the victim through murder. O'Brien (2011) argued that a US soldier engaged as part of the American peace keeping contingent to Kosovo raped and murdered a 10 years old girl. Hence, sexual defilement in the process may cause the victims their lives.

Laxities in prosecution of sexual defilement offences

There are many problems associated with successful prosecution of sexual defilement offences, in order to deter the offence in the society. The first problem or laxity in prosecution of sexual defilement offences is non-report of the offences to the police or other law enforcement officers, charged with the responsibility of addressing the problem. Many parents or guardians failed to make official report of sexual defilement of their children or ward because of the discomfort or shame (Finkelhor et al, 2014). Such parents or guardians would not apply the existing defilement law but opt to settle the issue with the person rather than involve the authorities, especially when pregnancy resulted. The parents and guardians asked for money in compensation for the school fees spent on the girl, thereby leaving perpetrator to go unpunished according to the law (Sekiwunga and Whyte, 2009)

Unfamiliarity with legal remedies and/or fear of or mistrust for the police and court system on behalf of victims and their families also contributed to under reporting and impunity of sexual defilement (Beninger, 2013). Non-reporting or under reporting of sexual defilement of minor is even worse when minor male children are involved (Bejide, 2014)

Non-reporting of sexual offences was the reason why Trinidad and Tobago made it mandatory for the parent or guardian of a minor; those who have custody, charge or control

of a minor; those who have temporary custody, care, charge or control of a minor for a special purpose, as his/her attendant, employer or teacher or in any other capacity; or a medical practitioner or a registered, nurse or midwife, and has performed a medical examination in respect of a minor, to report any suspected offence of sexual defilement as stipulated in sexual offences Act 27 of 1986 (laws of Trinidad and Tobago, 1986).

Bejide (2014) also cited social stigma attached, more abuse and injury, consequent upon the report, fear of retribution and ridicule and lack of confidence in police and health workers, as reasons why victims and their parents or guardians would not make official report of cases of sexual defilement.

The stages involved in handling and prosecution of sexual defilement entailed investigation of the background to the abuse, apprehension and prosecution of the offender (Chomba et al, 2010). However, most families of victims of defilement prefer to drop prosecution when the offence results in pregnancy because the overriding concern is the upkeep of the victim and the unborn child (Morhe and Morhe, 2013). On some occasions, parents opted for out-of-court settlements because there were some immediate economic benefits (in the form of compensation); possibility of the man marrying the girl or at least providing some support for the child, which would not be forthcoming if he were in prison (Sekiwunga and Whyte, 2009).

Parents also avoided litigation partly because of the question of morality attached to unplanned pregnancy and other factors like ensuring a good relation with the father of the child and his family (Sekiwunga and Whyte, 2009). At the end, majority of the sexual defilement offences were abandoned or withdrawn for settlement out of court. Settlement of defilement offences outside court violates the very spirit and letter of law on defilement and should, therefore, not be encouraged (Morhe and Morhe, 2013).

During prosecutions, there are many problems which affect successful prosecutions of sexual defilement offences. Police and legal services are limited by inadequate transport and resources, required effective forensic investigations, hostile, legal system, untrained prosecutors and doctors that are not keen to give expert opinion in court (Chomba, et al, 2010). In a similar case, Morhe and Morhe (2013) argued that laxities exist in prosecution of sexual defilement offences because of late reporting of cases, difficulty in obtaining medical report, logistics and administrative challenges, and families settling out of courts. Corruption within the police is another problem involved in prosecution, policemen may ask for money before they can intervene and in some instances are not ready to assist the victim. Request for money, interrogating the victims in a humiliating manner, refusing to investigate, refusing to gather and bring physical evidence to court, refusing to make arrest and in some cases, even refusing to record the complaints at all, were factors which affect successful prosecutions of sexual defilement offences (Sampson and Hart, 2013).

States may also impede successful prosecution of sexual defilement offences. Beninger (2013) argued that the failure of the state to protect girls and punish perpetrators, in cases where it is known that they are being subjected to sexual violence, is analogous to the domestic violence cases as a breach of due diligence, and this attracts the same state responsibility at international law. Sampson and Hart (2013) wrote of 160 girls that were sexually abused in Kenya and concluded that state had violated several of the girls' rights under Kenyan constitution and other regional and international human rights treaties, by failing to properly investigate defilement claims made by them.

Furthermore, the rights of unborn child that resulted from sexual defilement need to be protected by the state. Namiseb (2009). on Children's Status Act, 2006 (No.6 of 2006) of

Namibia provided that “in circumstances where a person is born as a result of rape, of which the perpetrator has been convicted, such perpetrator has no right to inherit as interstate heir from the estate of the person who is born as a result of the said rape. However, the person born as a result of the rape inherits interstate from the perpetrator, and is also deemed to be included in the terms ‘children’ and ‘issue’ in the relevant testamentary dispositions. Hence, the state needs to protect the victims of sexual violence and children that may be born as a result.

It is very interesting to note that hope is not lost on successful prosecution of sexual defilement offences. Beninger (2013) cited successful prosecution of case of 13years old student in Zambia (2006) who was defiled by his teacher and another 9years old girl that was raped by a school gardener.

Ending the problem

The first way of eliminating the problem of sexual defilement is to make strict and stiff law against it. There should be domestic legislation that seeks to protect children against sexual exploitation. Female and male minors should be protected from being exposed to any form of sexual abuse that may be occasioned by an adult male (Bejide, 2014). The offenders should be prosecuted and punished if found guilty by the courts in order to act as deterrence.

Secondly, there should be calls for activism that eschews emotive appeals based on the defilement of childhood innocence in favour of politics that are more responsive to the actual needs of the victims (Kaye, 2008). Government should put in places, measures to meet the needs of the victims legally, medically and emotionally. Medically, there should be provisions for HIV post-exposure prophylaxis for Child Sexual Abuse, not only to prevent some children from acquiring HIV from the Child Sexually Abused but to attracts more children and guardians to the service, as well as inter professional referral to the service (Chesshyre and Molyneux, 2009).

Thirdly, awareness campaigns to enlighten the public of the fact that children are the most common victims of sexual defilements should be increased so that parents and guardians would be more vigilant over their children and wards (Kanyanya et al, 2007).

Finally, sexual offenders should be treated and rehabilitated to reduce the vices (Kanyanya et al, 2007). The victims need to be counselled too. They should be made to realize that sexual brokenness with its exploitation and distorted lusts is not the final word. We can find freedom from this slavery through the redeeming grace and love of Christ. We must bring our sexual brokenness to him and ask him to remove the shame (Smith, 2012). Hence, religious counselling should be included in the treatment of the cases of sexual defilement.

METHODOLOGY APPLIED

Introduction

This section discusses the research design, the study area, the study population, sampling methods and sampling size, method of data collection, method of data analysis, ethical issue and constraints.

Research design

Survey design (onetime survey or sample survey) was adopted in this study. It involved the collection of information from a sample of individuals through their responses to questions (Schutt, 2004). The study utilized triangulation of method where both qualitative and quantitative methods were used.

The study area

The study was conducted in Lagos state. It cuts across notable areas where family courts at the magisterial level and social workers' offices were located. These included areas like Ikeja, Yaba, IbejuLekki, Ajegunle, Surulere, Ogudu, Ikorodu, Badagry, Lagos Island, Apapa and Mushin.

The study population

The family court officials and social workers formed the study population. The court officials included the magistrates and the court administrative officials who have been working in these courts, at least a year before the commencement of the study. The social workers attached to the Ministry of Youth and Social Development, Mirabel Centre Lagos State and Lagos State Teaching Hospital were also included as part of the study population.

Sampling method and sampling size

The selected study areas.

All the study areas selected for this work were purposively sampled because they suited this study. They were areas where family courts at magisterial levels and social workers' offices were located. Hence, they served the purpose of the study. Purposive sampling was used to select these areas because of judgment that they would facilitate the investigation of the study (Neuman, 2003, Adler and Clark, 1999). Eleven family courts at magisterial level and two social workers' offices were sampled for the study.

The court officials and social workers

Seventy-seven (77) court officials and twenty-three (23) social workers were sampled for the study. Being available subjects, sample random sampling was used in the selection. The method was employed so that each member of a study population had an equal probability of selection (Alder and Clark, 1999). However, the magistrate judge who participated in the study was purposively selected.

Methods of data collection

Primary data were collected and collated for this research work. The primary data were collected with use of questionnaire and in depth- interview.

Questionnaire

One hundred (100) questionnaires were administered among the court officials and social workers in the selected study areas. The entire number of the questionnaires administered (100) were returned because they were administered one - to - one with proper assistance and coordination from the researcher. The questionnaires were used to gather the quantitative data for this study.

Study Areas and Questionnaire Administered

	Study Areas	Number of Questionnaire Administered
1	Ministry of Youth and Social Development	18 copies
2	Mirabel Centre (LASUTH)	5 copies
3	Family Court Yaba	7 copies
4	Family Court Apapa	7 copies
5	Family Court 1 Mushin	7 copies
6	Family Court 4, Ikeja	7 copies
7	Family Court, Taylor Court House Lagos Island	7 copies
8	Family Court Ikorodu	7 copies
9	Family Court Ibeju – Lekki	7 copies
10	Family Court 2 Ikeja	7 copies
11	Family Court Surulere	7 copies
12	Family Court Ajegunle	7 copies
13	Family Court Badagry	7 copies
	Total	100 copies

In-depth interview

In-depth interview (IDI) was conducted with one magistrate judge.

Method of data analysis

Questionnaires for the study were sorted out and properly cleaned. In order to minimize errors, data from questionnaire were coded so as to pave way for editing of data for the use of SPSS (statistical package for social sciences) software. The analysis of data emphasized relative frequencies. Univariate analyses were used in interpreting socio-demographic characteristics of the respondents, using frequency and percentage tables. These served as quantitative data.

The qualitative data which emerged from in-depth interview were analysed using manual content analysis. The process of the analysis involved deciding on the samples to be included in the analysis, defining the categories of content measured and finally, recording the units that were chosen (each item in it's entirety). The quantitative data from the questionnaire were presented separately from the qualitative data but results from each of the methods complemented the other.

Ethical issues

Ethical issues in social research were followed in this study. The consent of the respondents was sought before the commencement of the In-depth Interviews, Key Informant interview, Focus Group Discussion and before administering questionnaires. The anonymity of the respondent was guaranteed. References were not made to their names or anything that may identify them. The reports from the research were presented in aggregate data, not in personalized and recognizable form.

Finally, all the information and the data supported were kept strictly confidential and used only for the purpose of this study.

Constraints during the study

The nature of this study was sensitive because minors were involved. Hence, the request to obtain secondary data from the family courts, regarding the proceedings on various sexual defilement cases handled by these courts, was turned down. Although official letter was written to request for this and for other forms of assistance but the request was denied on the ground that it would complicate issues. This, unfortunately, limited the data for this study.

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

Introduction

This chapter deals with data presentation and analysis. The analyses are both descriptive and inferential. It is divided into two parts;

1. Analysis of respondents' socio-demographic characteristics
2. Discussions on research objective

Socio-demographic characteristics of the respondents

The first characteristic of the respondents examined was sex of the respondents. The table 4.1 below shows the presentation and the analysis of the sex of the respondents who participated in the study.

Table 1:Sex Distributions of the Respondents

Sex	Frequency	Percent
Male	44	44.0
Female	56	56.0
Total	100	100.0

Source: Field Survey, 2016.

The above table shows that 44 .0% of the respondents were male while 56.0% of them were female. This implies that more female respondents participated in the study than the male. Sexual defilement is majorly a female focused crime. Hence, it was not least unexpected to have more female who participated in the study than male.

The next characteristic of the respondents in the study was age of the respondents who participated in the study. The table 4.2 below shows the breakdown of the ages of the respondents who participated in the study.

Table 2:Age Distribution of Respondents

Age	Frequency	Percent
15-19	1	1.0
20-24	4	4.0
25-29	7	7.0
30-34	14	14.0

35-39	16	16.0
40-44	25	25.0
45 and above	33	33.0
Total	100	100.0

Source: Field Survey, 2016.

A cursory look at the above table shows that 1.0% of the respondents was between 15years and 19years, 4.0% of the respondents were between 20years and 24years; 7.0% were between 25years and 29years; 14.0% were between 30years and 34years, 16.0% of them were between 40years and 44years and finally; 33.0% of the respondents were 45years and above. The above analyses show that many of the respondents who participated in the study were adults. The study, it can be inferred, had data and information from adults who are considered in African societies to be with experiences of life.

Marital statuses of the respondents were also put into consideration in the study. The table 4.3 below; shows the marital statuses of the respondents who participated in the study.

Table 3:Marital Statuses of the Respondents

Marital status	Frequency	Percent
Married	79	79.0
Single/Never Married Before	15	15.0
Widow/Widower	5	5.0
Cohabitation	1	1.0
Total	100	100.0

Source: Field Survey, 2016.

The analyses from the above table show that 79.0% of the respondents were married; 15.0% of them were single that never married before; 5.0% of them were either widows or widower while 1.0% was cohabitation. The analyses showed that overwhelming majority of our respondents were married. Being married would indicate possibility of parental responsibility. Additionally, married men and women are expected to have experience regarding child care, protection and guide. The vast majority of married respondents who participated in the study indicated that the study engaged experienced respondents.

Since the issue of sexual defilement of minors centred on children, the study considered it very important to investigate the number of children of the respondents who participated in the study. Table 4.4 below analyses the data concerning this.

Table 4:Number of Children of the Respondents

Number of children	Frequency	Percent
1-3	81	81.0

4-6	18	18.0
7-9	1	1.0
Total	100	100.0

Source: Field Survey 2016

The table above clearly shows that majority of the respondents; 81.0% had between 1 child to 3 children; 18.0% had between 4 children and 6 children; while 1.0% had between 7 children to 9 children. The large number who had between 1 child to 3 children may be attributed to economic conditions of the nation which has constrained many Nigerians to reduce their family sizes by embracing the modern method of birth control.

The religions of the respondents were also considered. The table 4.5 below shows the breakdown of the respondents' religion by religion.

Table 5: Respondents by Religion

Religion	Frequency	Percent
Christianity	74	74.0
Islam	25	25.0
Others	1	1.0
Total	100	100.0

Source: Field Survey, 2016.

From the table above, 74.0% of the respondents were Christians; 25.0% were Muslims and 1.0% an adherent of other religions. Religion is very valuable in impacting both the spiritual and moral values in the lives of the people to ensure that they live worthy and expected life in the society. Furthermore, religion shapes the opinions of people in society on many issues i.e. crime commission. Therefore, religions of the respondents are included in the study.

Lagos state which was the study area is an open door part of Nigeria to other West African countries; hence, the study investigated the Nationality of the respondents who participated in the study. The table 4.6 below shows the analyses.

Table 6: Nationality of the Respondents

Nationality	Frequency	Percent
Nigerian	98	98.0
Non-Nigerian	2	2.0
Total	100	100.0

Source: Field Survey, 2016.

The table above shows that majority; 98% of the respondents were Nigerians, while 2.0% were Non-Nigerians.

The residence of the respondents was also considered in the study by how long they have been living in the residences of their abodes. The table below shows the outcomes of their responses on this.

Table 7: Respondents on Years of Residence in the Community

How long have you been living in this community	Frequency	Percent
1-3	11	11.0
4-6	5	5.0
6years and above	84	84.0
Total	100	100.0

Source: Field Survey, 2016.

From the analyses above, 84.0% of the respondents have been living in their residences for 6years and above, 11.0% of them have been living there between 1year and 3years, while 5.0% have been living there between 4years and 6years. This implies that majority of the respondents have been living in Lagos community for long.

Reasons why victims and parents would not report sexual defilement

The objective of the study was to investigate the reasons why victims and parents would not report cases of sexual defilement to appropriate authority. Factors that may prevent such report were investigated in this study.

The first factor considered was discomfort that the incidence of the offence would create for the victims and parents. Table below shows the analyses of the responses on this

Table 8: Discomfort for the victims and parents

Discomfort for the victim and parents	Frequency	Percent
Strongly Disagree	6	6.0
Disagree	8	8.0
Somehow Agree	6	6.0
Agree	32	32.0

Strongly Agree	48	48.0
Total	100	100.0
Mean= 4.08 Maximum=5		

Source: Field Survey, 2016.

The table 8 above shows that 48.0% of the respondents strongly agreed that discomfort from the incidence of sexual defilement may prevent victims and parents from reporting, 32.0% of the respondents also agreed to this.

Finkelhor et al (2004) argued that parents or guardians failed to make official report of sexual defilement of their children because of the discomfort or shame. The incidence may create psychological discomfort and trauma coupled with shame. Hence, many victims and parents may not report sexual defilement to prevent further incidence that may aggravate such discomfort, trauma and shame.

The shame that act of sexual defilement brings to the victims, parents and the families at large is one of the factors that negate reporting cases of sexual defilement. The table 9 below carries the analyses of the responses on this.

Table 9: Respondents on Whether Shame May Cause None Reporting of Cases of Sexual Defilement

Shame involved for the victim and parents	Frequency	Percent
Disagree	1	1.0
Somehow Disagree	11	11.0
Agree	19	19.0
Strongly Agree	69	69.0
Total	100	100.0
Mean= 4.56 Maximum= 5		

Source: Field Survey, 2016.

A cursory look at the table shows that a very large number of the respondents concurred to the factor of shame as one that may prevent victims or parents from making official report of sexual defilement. The person who carried out the defilement may likely be the father, uncle, brother, cousin or other family member. When such defilement is reported, ‘it is like washing the dirty cloth of the family outside ’’. Doing this would bring public disrepute to the offender; not the offender alone, even the name of the entire family may be dragged in the mud. Hence, on many occasions, the shame involved in the act may prevent victims or concerned parents from making official report. For instance, it would be difficult for a mother to come out and report that her husband or brother-in-law is defiling their daughter. An excerpt below supported this:

Most of the cases of sexual defilement occurred at homes. The perpetrators are usually uncles, drivers, gardeners, and fathers. We have fathers raping their daughters, and cases of daughters pregnant for their fathers (which are very prevalent now). Of recent we had a case of 12years old girl that was pregnant for her father.

(A Female Magistrate Judge/ Lagos Island/ May 17th 2016).

Very similar to the factor of shame was stigma. Stigma that sexual defilement brought may result in victims and parents refraining from making official report. Table 10 below shows the responses of the participants on this.

Table 10:Stigma as a Factor of None-Reporting

Stigma as a cause	Frequency	Percent
Somehow Agree	1	1.0
Agree	27	27.0
Strongly Agree	72	72.0
Total	100	100.0
Mean=4.71 Maximum=5		

Source: Field Survey, 2016.

The analyses from the above table clearly shows that 72.0% of the respondents considered stigma as a very strong factor that would prevent victims and parents from making report of sexual defilement.

Finkelhor and Brown (1985) argued that stigmatization gives negative connotations. The child who is a victim may feel guilty and this is communicated to child’s image, thereby affecting the self-image of the victim in the community.

The excerpt from interview conducted with the magistrate judge expatiated on this:

Many of the cases of sexual defilement were not reported because of poverty, culture, stigma But more importantly it is because of culture and stigma.

(A Female Magistrate Judge/ Lagos Island/ May 17th 2016)

Stigma is a crucial factor that hindered victims and their parents from reporting cases of defilement of minors. However, other factors like poverty and culture should also be reckoned with as explained above by the magistrate judge. Poverty, through illiteracy, may not allow the victims and parents to have access to legal remedies because they may not know they exist. Moreover, the culture that girls are expected to be virgins until the days of their wedding is another issue. In Nigeria, girls are expected to be intact, any defilement, whether voluntarily or involuntarily, is looked upon as taboo. Defilement, therefore, brings shame and stigma to the victim and her entire family.

Non-familiarity with legal remedies was another factor considered as one that may discourage report of cases of sexual defilement. Table below shows the responses on this.

Table 11:Respondent on Unfamiliarity with Legal Remedies as a Cause

Unfamiliarity with legal remedies	Frequency	Percent
Strongly Disagree	8	8.0

Disagree	4	4.0
Somehow Agree	13	13.0
Agree	43	43.0
Strongly Agree	32	32.0
Total	100	100.0
Mean= 3.87 Maximum= 5		

Source: Field Survey, 2016.

From the above table, vast majority of the respondents agreed, though in various degrees, that non-familiarity with legal remedies may be the reason why some victims and parents would not report cases of defilement. Beninger (2013) cited unfamiliarity with legal remedies on the part of victims and their families as contributor to the underreporting and impunity of sexual defilement. It is unfortunate that many people do not know of laws that exist to protect them and their rights. When people are ignorant of legal redress they may not claim one in the criminal justice system.

In Nigeria many people do not trust the police. Many people always refrain from anything that would connect them with the police because the integrity of the police in Nigeria is questionable. Hence, the study investigated whether mistrust for the police would contribute to victims' and parents' unwillingness to report the offence. Table 12 below shows the analyses.

Table 12: Respondents on Mistrust of the Police as a Factor

Mistrust of the police	Frequency	percent
Strongly Disagree	4	4.0
Disagree	7	7.0
Somehow Agree	21	21.0
Agree	29	29.0

Strongly Agree	39	39.0
Total	100	100.0
Mean= 3.92 Maximum=5		

Source: Field Survey, 2016.

The analyses from the above table show that large number of the respondents agreed in different forms with mistrust of police system as a strong factor why people would not make official report of sexual defilement. Police is the first contact when crime is committed. However, when police system is not encouraging, people may be discouraged from making official reports of crime committed against them. The assertion that police are people’s friend is only “in theory form” not “in practice”. When police lack credibility and professionalism people resolve to forego the crime committed against them.

The above is supported by the comment below made by the Magistrate Judge:

When cases of defilement were reported, some of the police officers on duty might not know what to do. They may inform the victim/complainant to go to unapproved hospitals or incompetent doctors who might not know what to do at that particular moment.

In some cases, the police officer, in order to distort the evidences, when money has exchange hands, may even tell the victim to go and bath, and doing this would wash away the evidences.

The trial of cases of defilement may be long. In most cases, the investigating police officers might have been transferred to other places in the country and these are the officers that know the genesis of the cases. The new investigating police officer might not be able to say much about such cases.

(A Female Magistrate Judge / May 17th 2016).

When the offender is ready to compensate the victim, and the parents, reporting such case of defilement may be dropped. Table 4.30 below shows the responses of the people on this.

Table 13: Respondent on When Offenders Is Ready to Compensate

When the offender is ready to compensate the victim and parent	Frequency	Percent
Strongly Disagree	6	6.0
Disagree	3	3.0
Somehow Agree	9	9.0
Agree	41	41.0
Strongly Agree	41	41.0

Total	100	100.0
Mean= 3.31	Maximum=5	

Source, Survey 2016

The table above clearly shows that 41.0% of the respondents strongly agreed and another 41.0% agreed that when offender is ready to compensate the victim and parents, the official report may not be made against the offender. Morhe and Morhe,(2013) argued that the family of the victim of defilement may jettison prosecution when the offence results in pregnancy because the overriding concern is the upkeep of the victim and the unborn child. Moreover, it might be as a result of the economic benefits that such compensation would bring (Sekiwunga and whyte, 2009).

Not trusting the court system is another reason why parents and their victim children may not report the act of defilement. In the analyses, 21.0% of the respondents somehow agreed that not believing the court system is a good reason why sexual defilement is not usually reported; 23.0% agreed and 24.0% also strongly agreed with the same reason (**mean=3.22 Maximum=5**). The court system is not encouraging because of the lapses in the judiciary system.

An excerpt below from the magistrate judge attested to this:

In the judiciary system, we do not have enough judges at the family courts. Moreover, there are not enough courts to handle cases of sexual defilement. Another issue is the delay from the office of the Director of Public Prosecution which is one of the executive arms. Under the administration of criminal law, the magistrate courts cannot give a sentence which is beyond 14 years. At times, cases of sexual defilement may involve infection of HIV/AIDS which attracted life imprisonment for the offender. Under such circumstances, the magistrate courts need to seek for the advice of the Director of Public Prosecution. It may take up to two years before the reply would come from the office of Director of Public Prosecution to proceed with the case. By this time, the complainants and the witnesses might have lost interest in the cases.

(A Female Magistrate Judge / May 17th 2016).

From the above excerpt, it can be deduced that the respondent agreed that the administrative law in judiciary system impeded the smooth and rapid dispensation of justice and incapacitated the lower courts to some extent in handling cases of sexual defilement of minors. Hence, there should be reformation in administrative law in judiciary system to pave ways for easy dispensation of justice.

Fear of abuse and injury from offender or his family was another reason why victims and their parents may not report the sexual abuse. 29.0% of the respondents somehow agreed that it may be a reason why defilement of minors may not be reported. 28.0% agreed with the same; while 21.0% strongly agreed (**mean=3.41 maximum=5**). Fear of further abuse from the offender or sometimes from his family members may prevent victims or their parents from reporting cases of defilement, especially when such offenders are notorious in the community or neighbourhood. They may prefer to keep quiet in order to avoid physical confrontation that may bring greater problem to the victims and their family members.

Another factor was fear that parents may be faced with allegation of child negligence. 25.0% of the respondents somehow agreed with this; 20.0% agreed; while 25.0% strongly agreed (**mean=3.29 maximum=5**). Parents may forego reporting cases of sexual defilement against their children because doing so may attract blame on them that they

neglected the parental care they are supposed to give their children, especially in area of surveillance and protection.

Finally, when offenders are family members, it might be pretty difficult to report cases of sexual defilement. The analyses show that 33.0% agreed with this; while 51.0% strongly agreed (**mean=4.24 maximum=5**). The family members concerned may consider reporting offender who is a family member i.e. father, uncle, cousin. etc. as washing the family dirty clothes outside. The act of reporting such would not only bring shame and stigma to the offender alone but to the entire family. Hence, they may decide to 'eat rat with navel inside the coven of their family'.

Summary of findings

For the reasons why victims and parents may not report cases of sexual defilement to appropriate authority, many of the respondents agreed that discomfort for the victims and parents (**mean=4.08**); shame involved (**mean=4.56**); the stigma involved in the act (**mean=4.71**); unfamiliarity with legal remedies; (**mean=3.87**); mistrust of the police (**mean=3.92**); not trusting court system; (**mean=3.22**); when offenders are ready to compensate victims (**mean=3.31**); fear of more injury from offenders and their families (**mean=3.41**); fear that parents may be alleged of child negligence (**mean=3.29**) and when offenders were family members (**mean=4.24**) (**all at N=100; maximum of 5.00; minimum of 1.00 and at the range of 4.00**) were notable reasons why victims and parents will not report cases of sexual defilement to the police for appropriate legal actions.

Conclusion

We conclude this study on a note that the major problem which makes fighting of sexual defilement difficult is people's unwillingness to report cases of defilement. Different reasons why victims and their parents were not willing to make official report of defilement have been discussed in this study. When cases of defilement were not reported, government would not have statistics that are reliable or that represent the true picture of the problem. Moreover, such would make fighting the problem very difficult. It may also encourage offenders to continue offending against minors. Justice would also be denied. Hence, reporting cases of sexual defilement of minors should be taken serious in order to know strategies of overcoming this social problem.

Recommendation

Based on the discoveries made in this study, the following measures are recommended:

1. There should be mass awareness on the reasons why victims of sexual defilement and their parents should come out to report such cases. We recommend that government and non – governmental organizations embark on mass awareness through public campaigns, public talks, seminars, workshops and media talks on the need to report cases of sexual defilement of minors to the appropriate authority for counseling and legal remedies.
2. Government and non – governmental organizations should also come to the help of victims and their parents by getting them familiarized with the legal remedies available for them under the law. Getting them familiarized with legal remedies would pave way for them in getting justice. Therefore, government and non – governmental organizations need to play prominent roles in actualizing this.

3. Government, non – governmental organization and the people in society need to create conducive social and legal environments for victims and parents to report cases of defilement of minors. Victims and parents should not be ashamed to report such; likewise, people should not stigmatize victims or their parents for cases of defilement.

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