



Assessment of the Bauchi State Law for PWDs

A Technical Narrative of Findings from the Assessment of the Implementation of the Bauchi State Persons with Disability Law

CONTENTS

EXECUTIVE SUMMARY

TABLE OF CONTENTS

INTRODUCTION

LITERATURE/DESK REVIEW

METHODOLOGY

Study Location

Study Design

Sampling considerations

Training of the research team

Fieldwork and Supervision

Confidentiality and Data safety

Ethical Consideration

FINDINGS

Objective 1:

Conduct a comparative desk review of the National Disability Prohibition Act (2018) and the Bauchi State PWD Law (2010).

Objective 2:

Assess the extent to which SRHR issues of PWDs have been captured in the Bauchi State PWD law 2010.

DISCUSSION

CONCLUSION & RECOMMENDATIONS

APPENDIX



LIST OF ABBREVIATIONS

CBOs	Community Based Organizations	NGO	Non-Governmental Organization
CSOs	Civil Society organizations	OCA	Organizational Capacity Assessment
DLOs	Disability-Led Organizations	PRS	Planning Research and Statistics
FGD	Focus Group Discussion	PWDs	People with Disabilities
FP	Family Planning	SMOH	State Ministry of Health
HoS	Head of Service	SRH	Sexual Reproductive Health
KII	Key Informant Interview	SRHR	Sexual Reproductive Health & Rights
LGA	Local Government Area	UNCRPD	UN Convention on the Rights of Persons with Disabilities
MDAs	Ministries, Departments and Agencies	WGWDs	Women and Girls with Disabilities
NCPWD	National Commission for Persons with Disabilities	WHO	World Health Organization
NDHS	Nigeria Demographic and Health Survey		



ACKNOWLEDGEMENT

This study was commissioned by Ipas Nigeria Health Foundation (NHF) in collaboration with the Bauchi State Agency for People with Disabilities.

Ipas extends her appreciation to the Executive Secretary of the Bauchi State Agency for People with Disabilities, Honorable Brisca Aaron for her leadership buy-in which led to the successful completion of the assessments. Her role and the team she deployed for the exercise was critical to successful conduct of the field work across different ministries, departments and agencies in the state.

Our appreciation also goes to Barrister Amina Garba, Executive Director, Ikra Foundation who facilitated our contact with focal persons from the disability community in Bauchi state and ensured various clusters of the PWDs actively participated in the focus group discussions (FGDs).

EXECUTIVE SUMMARY

According to a 2018 WHO report on Disability Inclusion in Nigeria; A Rapid Assessment¹, an estimated 29 million Nigerians live with disabilities. The 2018 Nigeria Demographic and Health Survey² (NDHS) indicated that 7% of household members aged five and above, and 9% of those aged 60 or older, experience some form of functional limitation (e.g., difficulties with seeing, hearing, communication, cognition, walking, or self-care). Research highlights the neglect of SRHR for PWDs, often overlooking their sexuality (Gartrell et al., 2017; World Bank, 2020). Gender-related norms and beliefs further compound the challenges faced by women and girls with disabilities (WGWDs).

Ipas Nigeria Health Foundation actively advocates for equitable health access for Persons with Disabilities (PWDs). Collaborating with Disability-Led Organizations (DLOs) and Community-Based Organizations (CBOs) in states including Bauchi, Jigawa, Gombe, Ogun, Anambra, and Akwa Ibom, Ipas supports the development and domestication of national and state disability policies.

The Federal Government of Nigeria in a bold step address the challenges of PWDs, enacted the Discrimination Against Persons with Disabilities (Prohibition) Act in 2018 and established the National Commission for Persons with Disabilities

(NCPWD). Bauchi State has been a leader in this effort, domesticating the 2018 PWD Act and establishing the Bauchi State Agency for Persons with Disability. However, no data exists as to the level of implementation of the Bauchi state Disability Law since its passage nearly 15 years ago.

The existence of supportive legal frameworks has not translated to significant improvements to PWDs significant access to health services such as sexual and reproductive health and rights (SRHR). The development sector has consistently raised concerns about the implementation of laws and policies, often hindered by inadequate funding, weak operational capacities, and poor coordination which limit the effectiveness of existing PWD prohibition laws, restricting PWDs' ability to fully benefit from these laws and access critical services in accordance with the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

This marginalization is further compounded by the exclusion of youth with disabilities from education and employment, exacerbating poverty within their households, which studies show are significantly poorer than those without disabled members (International Centre for Evidence in Disability, University of Abuja, Mastercard Foundation, 2022³).

1 2018 WHO Report

2 2018 NDHS Report

3 International Centre for Evidence in Disability, University of Abuja, Mastercard Foundation, 2022

Given this context, Ipas commissioned an assessment of the 2010 Bauchi State Disability Law to evaluate its implementation, identify gaps, and explore opportunities for strengthening its effectiveness. This aligns with Ipas's commitment to promoting meaningful inclusion and the SRHR

of PWDs. The assessment findings will be used, in collaboration with the Bauchi State Agency for People with Disabilities, to build social support for PWDs, challenge discriminatory beliefs and norms, and improve access to economic resources through robust implementation of the state disability law.



Objectives of the Assessment

1. Conduct a comparative desk review of the National Disability Prohibition Act (2018) and the Bauchi State PWD Law (2010).
2. Assess the extent to which SRHR issues of PWDs have been captured in the Bauchi State PWD law 2010.
3. Assess the implementation of the Bauchi State PWD Law (2010), identifying key successes and gaps.
4. Develop recommendations and learnings to inform a review of the Bauchi State PWD Law and strategy recommendations to address gaps in the implementation of the law.

Key Findings from the Study

1. The Bauchi State Agency for Persons with Disability Law (2010) broadly addressed key aspects of protecting and promoting the rights and well-being of persons with disabilities. However, it notably lacked specific guidance on special facilities for persons with disabilities, a topic comprehensively covered in the First Schedule of the Discrimination Against Persons with Disabilities (Prohibition) Act (2018). However, no specific provisions for the SRHR of PWDs was made in the law.
2. The overwhelming consensus from the PWDs and CSOs actors in the state is that there's currently a huge implementation gap. The perception is that nothing significant has is going on in terms of implementation since passage of the law. Whereas there are pockets of activities here and there, largely driven by donors, no coordinated implementation driven by a carefully articulated state strategy is in place.
3. Key factors negatively affecting implementation of the law in the state include poor funding, weak institutional capacity of the agency, pervasive lack of awareness of the law, low representation of PWDs in current leadership structure of the agency, generally low level of involvement of CSOs in implementation.

Key Recommendations

1. **Advocate for the Agency's Transition to a Commission:** Push for the transformation of the current agency into a commission. This change will grant the necessary autonomy and enhance its capacity to directly secure government funding, bypassing the need for a supervisory ministry.
2. **Strengthen the Agency's Organizational Capacity:** Invest in bolstering the agency's organizational capabilities to effectively lead and coordinate a multi-sectoral implementation of the state PWDs law. This should include the development of a costed, multi-year, and multi-sector strategic plan.
3. **Mandate Budget Allocation for PWD Inclusion:** Advocate for the enactment of legislation or the inclusion of a provision requiring all development partners operating in the state to allocate a minimum of 5% - 10% of their budgets to directly benefit PWDs through their program interventions. This will ensure the systematic inclusion of PWDs in all development initiatives within the state.
4. **Implement Robust Awareness Campaigns on the Disability Law:** Conduct comprehensive sensitization and awareness creation initiatives regarding the state disability law at community, Local Government Area (LGA), and state levels, targeting all relevant sectors as outlined in the law. Leverage Ipas' existing experience and expertise from their work on the VAPP law in the state to drive this effort. This will necessitate the production of accessible, abridged versions of the law tailored to different disability clusters.

5. Facilitate an Inclusive Review and Update of the Law: Support the agency in leading a consultative and inclusive process to review and update the state disability law, with a specific focus on integrating Sexual and Reproductive Health and Rights (**SRHR** – pervasive societal unconscious bias that PWDs are asexual, heightened vulnerability to sexual abuse & gender violence, as well as general negative attitude of health workers) issues for PWDs. The National Policy on the SRHR of PWDs with Emphasis on Women & Girls offers a relevant framework for incorporation into the state legislation.

6. A strategic approach to take in achieving recommendation #5 above is to provide technical and funding support to key CSO groups in the state like Ikra Foundation who already have a strong collaboration with the Agency, to provide support to the agency in driving this process. A starting point will be to facilitate setting up a **4 to 5 persons working group** (with members from CSO, PWDs groups, and MDAs) that will develop an advocacy strategy to guide the advocacy efforts for review of the law. A key ask in the law review will be:
- a.) Transitioning of the agency to a commission
 - b.) Articulating clear provisions that address the SRHR concerns of PWDs as stated in this report

In addition, the strategy will clearly define the key advocacy targets in the executive and legislative arms of government as well as any other key stakeholders that should be cultivated.



INTRODUCTION

Ipas Nigeria Health Foundation actively advocates for equitable health access for Persons with Disabilities (PWDs). Collaborating with People with Disability-Led Organizations and Community-Based Organizations (CBOs) in states including Bauchi, Jigawa, Gombe, Ogun, Anambra, and Akwa Ibom, Ipas supports the development and domestication of national and state disability policies. Bauchi State has been a leader in this effort, domesticating the 2018 PWD Act and establishing the Bauchi State Agency for Persons with Disability.

Despite existence of supportive legal frameworks, PWDs continue to face significant access barriers, particularly in health services such as sexual and reproductive health and rights (SRHR). The Federal Government of Nigeria in an effort to address this issue enacted the Discrimination Against Persons with Disabilities (Prohibition) Act in 2018 and established the National Commission for Persons with Disabilities (NCPWD). Currently, approximately one-third of Nigeria's 36 states have domesticated disability-inclusive legislation, with six—Lagos, Plateau, Bauchi, Kaduna, Kogi, and Anambra—further establishing local agencies for implementation.

However, the development and CSOs have consistently raised concerns about the implementation of laws and policies, often hindered by inadequate funding, weak operational capacities, and poor coordination. This has limited the effectiveness of existing PWD prohibition laws, restricting PWDs' ability to fully benefit from these laws and access critical services in accordance with the UN Convention on the Rights of Persons with Disabilities (UNCRPD). This marginalization is further compounded by the exclusion of youth

with disabilities from education and employment, exacerbating poverty within their households, which studies show are significantly poorer than those without disabled members (International Centre for Evidence in Disability, University of Abuja, Mastercard Foundation, 2022).



According to a 2018 WHO report, an estimated 29 million Nigerians live with disabilities. The 2018 Nigeria Demographic and Health Survey (NDHS) indicated that 7% of household members aged five and above, and 9% of those aged 60 or older, experience some form of functional limitation (e.g., difficulties with seeing, hearing, communication, cognition, walking, or self-care). Research highlights the neglect of SRHR for PWDs, often overlooking their sexuality (Gartrell et al., 2017; World Bank, 2020). Gender-related norms and beliefs further

compound the challenges faced by women and girls with disabilities (WGWDs).

A survey by the Disability Rights Advocacy Centre (DRAC) revealed that 24.2% of women with disabilities aged 20-24 had no formal education, with nearly one-third (30.6%) similarly uneducated. Among the participants, 51.6% were single, 37.6% were students, and 16.6% were unemployed. The majority of respondents were from Benue State, followed by Plateau. The onset of disability occurred at various life stages: adulthood (29.3%), childhood (27.4%), birth (22.9%), and adolescence (19.1%). The participants experienced diverse forms of disability. Persons with disabilities face various forms of exclusion or discrimination and sexual reproductive health and rights exclusion, which is one of the most damaging yet pervasive forms of exclusion¹⁻³. The Nigerian government recognized the exclusionary practices in health care service provision to persons with disabilities (PWDs), especially young women and girls, in assessing the healthcare system and developed a strategic National Policy on Sexual and

Reproductive rights of Persons with Disabilities with emphasis on women and girls in June 2018. However, this document on reproductive issues of Women and Girls with Disabilities (WGDs) is yet to be adapted for full implementation in Nigeria.

Given this context, Ipas is commissioning an assessment of the 2010 Bauchi State Disability Law to evaluate its implementation, identify gaps, and explore opportunities for strengthening its effectiveness. This aligns with Ipas's commitment to promoting meaningful inclusion and the SRHR of PWDs. The assessment findings will be used, in collaboration with the Bauchi State Agency for People with Disabilities, to build social support for PWDs, challenge discriminatory beliefs and norms, and improve access to economic resources through robust implementation of the state disability law.



Objectives of the Assessment

1. Conduct a comparative desk review of the National Disability Prohibition Act (2018) and the Bauchi State PWD Law (2010).
2. Assess the extent to which SRHR issues of PWDs have been captured in the Bauchi State PWD law 2010.
3. Assess the implementation of the Bauchi State PWD Law (2010), identifying key successes and gaps.
4. Develop recommendations and learnings to inform a review of the Bauchi State PWD Law and strategy recommendations to address gaps in the implementation of the law.

Key Research Questions

In order to provide a structure to approach the objectives of the assessment in terms of how to engage the different stakeholder respondents and designing the discussion guides, the following five key research questions were articulated.

1. What was the law development process?

This question sought to ascertain how participatory and inclusive law development process was in terms of engagement with relevant stakeholders, particularly PWDs

2. What is the level of implementation of the Bauchi state PWD Law

- this question sought to explore existence of mechanisms for the law implementation in the state,
- availability of work plans, budget/funding for the agency, key activities implemented so far and results/impact of interventions, how actively state and non-state actors are engaged in the implementation of the State PWD Law.

3. What are the successes recorded so far?

Is there any major success documented as a result of implementing the law since its enactment?

4. What are the key implementation challenges so far experienced?

Explore issues around funding, coordination between key MDAs, work planning, implementation tracking, etc

5. How can the State PWD Law be better positioned to enhance the active and meaningful participation of PWDs in especially in actualizing their sexual and reproductive health and rights.

Here we sought to identify and document any key lessons to deepen and strengthen implementation. Explore any emerging issues (like the SRHR of PWDs) not envisaged or adequately captured in the law. What key gaps from the implementation and recommendations to address them.

LITERATURE/DESK REVIEW

Early engagement with the Bauchi State Agency for PWDs exposed a critical lack of information concerning the implementation of their disability law. Aside from the law itself, no documentation was available, and no published research assessing its implementation could be found. Recognizing this deficiency, a content review and comparative analysis of the Bauchi State Agency for Persons with Disability Law (2010) and the Discrimination Against Persons with Disabilities (Prohibition) Act (2018) was undertaken. This was deemed a crucial step in establishing the necessary background and context

for evaluating the law's implementation, resulting in the following three objectives:

1. Identify key similarities and differences in the content of the two legal documents.
2. Determine potential areas for improvement in the Bauchi State Law by examining advancements and best practices incorporated in the later national act.
3. Provide a comprehensive overview of the scope and focus of the Bauchi State Law.



Two major observations from the analysis were:

- 1. Structure/Layout:** A significant difference was observed in terms of organization of the various parts and sections of the two documents. For instance, Parts 1 and 2 of the Bauchi State Law, concerning the agency's functions and powers, as well as the appointment and duties of the Executive Secretary and staff, are addressed in Parts 7 and 8 of the national Act. Whereas the Bauchi State Agency for Persons with Disability Law (2010) is organized into 17 parts comprising 91 sections, the Discrimination Against Persons with Disabilities (Prohibition) Act (2018) in contrast employed a simpler structure, consisting of 10 parts and 58 sections, which appears to be a more accessible and reader-friendly format.
- 2. Content:** No significant difference was observed between the two documents in terms of the general provisions. However, the Bauchi state law had more parts and sections than the national act and appears to have addressed

additional issues in greater detail. Such issues include matters pertaining to children with disabilities, communal life, marriage, family and privacy, social protection, and participation in cultural life, recreation, leisure, and sport. It is noteworthy however, that though the Bauchi State Agency for Persons with Disability Law (2010) broadly addresses key aspects of protecting and promoting the rights and well-being of persons with disabilities, it is notably lacking in specific guidance on special facilities for persons with disabilities, a topic comprehensively covered in the First Schedule of the Discrimination Against Persons with Disabilities (Prohibition) Act (2018).

This preliminary analysis of the law's content informed the development of data collection tools for a more nuanced exploration.



METHODOLOGY

Study Location

The study coverage was Bauchi state. A desk review of the Bauchi State Agency for Persons with Disability Law 2010 was conducted, comparing it with the National Discrimination Against Persons with Disabilities (Prohibition Act 2018). All individuals interviewed as respondents were from different stakeholder groups based in Bauchi state and working in the persons with disability ecosystem in the state.

Study Design

To accomplish the objectives outlined in this study, we adopted mainly qualitative research method. This decision was in view of the study focus which sought to ascertain the level of implementation of the law since its passage, exploring the mechanisms in place to support implementation, key successes, implementation bottle necks and key lessons to improve subsequent implementation approach. Identifying these issues and driving factors as well as opportunities to address gaps in implementation required a deep exploration of the state context in order to unearth the **"why" and "how"** of these issues. Hence the decision to employ a qualitative approach which encompassed a comprehensive desk review of the state law in comparison with the national act, conduct of key informant interviews (KIIs) involving a diverse spectrum of stakeholders and FGDs with selected respondents from the disability community in the state. Engagement with the persons with disabilities enriched the assessment as it provided opportunity to gain their perspectives as beneficiaries of the intended law. Other respondents interviewed included officials of selected MDAs, program planners and implementers, and civil society organizations

(CSOs) actively engaged in responding to needs of persons with disabilities in the state. This approach provided valuable insights into the multifaceted issues surrounding implementation of the disability law in Bauchi state and opportunities for improving protection of the rights of persons with disabilities and increasing their access needed SRHR services.



Sampling considerations

As earlier stated, qualitative data collection was considered the most suitable approach to achieve the objectives outlined in this study. Hence the sampling approach was purposive based on key stakeholder groups articulated in the law itself as well as selected representatives of the PWD community in the state.

Qualitative data collection

Key staff of the agency, relevant MDAs (as defined in the state law) and CSOs working with persons with disabilities in Bauchi state were interviewed.

Focused group discussions were also held with selected individuals from the different disability groups in the state. The table below is a breakdown of all interviews (FGDs, KII and IDIs) that were carried out for the different stakeholder groups

Training of the research team

To ensure interviewers were adequately prepared for the field work, a one-day training was held for interviewers. The selection of candidates followed a criterion established by the consultant and reviewed by Ipas. As an initial screening step, candidates submitted self-recorded videos based on Ipas guidelines. These videos aimed to confirm their claimed professional experience, assess their verbal communication abilities, and evaluate their fundamental grasp of interview techniques. The subsequent one-day training focused on ensuring interviewers understood the assessment's objectives, its scope, and their specific responsibilities. Furthermore, the training provided an opportunity for the interviewers to become comfortable with the discussion guides and refine their interviewing skills through practical simulations. The training covered key areas such as:

1. Overview of the study – objectives, focus and scope
2. Conducting FGDs and KIIs
3. Difference between KIIs and IDIs
4. Review of the FGD and KII guides
5. FGD and KII Simulations
6. Data transcription
7. Ethical issues in research
8. Field work planning - logistics and communication

Fieldwork and Supervision

The study was conducted in collaboration with the Bauchi State Agency for PWDs. A focal person, Mr. Muktar was designated by the agency's Executive Secretary and was responsible for ensuring effective

coordination of the study team and liaison with other MDAs. All the interviews were conducted in secure locations convenient to respondents. Two teams of interviewers each comprising a moderator and one note taker were constituted, with one sign language interpreter. The role of the sign language interpreter was to ensure effective communication with respondents with vocal and or hearing impairment. In view of this, all the 4 FGDs with PWDs were conducted on day 1 of data collection. This approach ensured efficient use of the sign language interpreter so he didn't have to work beyond day 1. Respondents for the KIIs were thus assigned to the 2 teams as Mr. Muktar confirmed their availability. All interview sessions were recorded using the voice recorder feature on the interviewers' android phones. The FGDs were conducted using a mix of English and Hausa as the sign language interpreter and some of the interviewers were also fluent in Hausa. At the end of each day, the teams uploaded audio copies of the interview sessions to a goggle folder that had been created by the lead consultant for the purpose of data storage.

The lead consultant also conducted KIIs with 4 agency staff and IDIs with two CSO executives and one staff of an International Funding Agency. Furthermore, the lead consultant was on ground to physically observe some of the interview sessions and provide feedback as necessary.

Confidentiality and Data Safety

As stated earlier, all interview files (audio recordings and transcribed files) were stored in a secured cloud server (goggle folder) with restricted access that was created by the lead consultant. A simplified coding system was agreed on for identification purposes which protected Personal Identifiers of respondents.

Ethical Consideration

Interviews were conducted in accordance with principle of respect for person, benevolence and Justice. The nature and objectives of the study was explained to all respondents, emphasizing confidentiality after which informed consent was verbally obtained before proceeding with the interview.

Ipas NHF had sought to obtain Ethical approval from

the Bauchi state Research Ethics Review Committee before commencement of the study but was informed by a SMoH official that an ethical approval was unnecessary since the study is not health related, however, letters of introduction were sent from the agency to all MDAs required to participate in the assessment to pre-inform them and clarify the role expected of them in the process.



FINDINGS

As mentioned earlier, specific research questions were developed to structure the assessment process. These questions guided how to engage various stakeholders and informed the design of the discussion guides, ensuring the assessment objectives were met. In this section, I integrate the research objectives with the research questions and then present the findings gathered from the interviews.

Objective 1:

Conduct a comparative desk review of the National Disability Prohibition Act (2018) and the Bauchi State PWD Law (2010).

The desk review and comparative analysis of the Bauchi State PWD Law (2010) and the National Disability Prohibition Act (2018) was conducted and a summary report submitted to Ipas NHF. This exercise was completed prior to finalization of the study protocol and commencement of field activities. Findings from the document review helped shape the final study design. The objectives of the documents review were to:

1. *Identify key similarities and differences* in the content of the two legal documents.
2. *Determine potential areas for improvement* in the Bauchi State Law by examining advancements and best practices incorporated in the later national act.
3. *Provide a comprehensive overview* of the scope and focus of the Bauchi State Law.

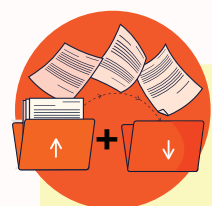
With respect to the study objective 1, the following are the two key findings that emerged from review of and comparison of the two documents:

- a. The Bauchi State Agency for Persons with Disability Law (2010) broadly addressed key aspects of protecting and promoting the rights and well-being of persons with disabilities. However, it notably lacked specific guidance on special facilities for persons with disabilities, a topic comprehensively covered in the First Schedule of the Discrimination Against Persons with Disabilities (Prohibition) Act (2018).



it notably lacked specific guidance on special facilities for persons with disabilities

- b. Both documents did not make any specific provisions for the SRHR of PWDs. Rather, provisions were made in a generic sense for the health needs of PWDs.



Both documents did not make any specific provisions for the SRHR of PWDs.

Objective 2:

Assess the extent to which SRHR issues of PWDs have been captured in the Bauchi State PWD law 2010

In assessing the extent to which the SRHR needs of PWDs were captured in the Bauchi State PWD Law (2010), we approached it from the lens of the research questions on What was the law development process; which sought to ascertain how participatory and inclusive law development process was in terms of engagement with relevant stakeholders, particularly PWDs. The assumption was that if PWDs were meaningfully engaged in the law development process, their SRHR concerns should have been significantly captured. Combining feedback from the PWD respondents and the comprehensive review of the Bauchi State PWD Law (2010) gave us a fuller perspective to this objective.

Review of content of the law already revealed that there were no specific provisions for the SRHR needs of PWDs, beyond the general provisions for the health needs of PWDs. We endeavored however, to interrogate this subject with the PWDs themselves and CSO actors in the state during the interviews for two reasons – (i) either corroborate or contradict what we already knew from the desk review of the law and (ii) have the PWDs themselves articulate specific SRHR issues/needs they would want integrated into the law in the event of a review of the document.

Majority of the respondents could not speak meaningfully to the issue of how the law addressed their SRHR needs due to the fact that they were not conversant with the state law; most of them had never seen a copy of the law. However, one female respondent demonstrated keen understanding of the issues having been conversant with the National Policy on the SRHR of PWDs with emphasis on Women & Girls.

Majority of the other respondents had no clue about the national policy on the SRHR of PWDs. The general consensus amongst the PWDs respondents was that the SRHR needs of PWDs need to be given more attention as nothing is currently being done in that area at the moment. Below are direct quotes from the interviews corroborating this position.



Majority of the other respondents had no clue about the national policy on the SRHR of PWDs.

None of us were involved in the development of the law
 – FGD [Hearing Impaired]

This comment was corroborated by FGD participants from the physically challenged and visually impaired cluster. However, one participant in the visually impaired cluster stated that he was aware that a memo was sent to the State House of Assembly from the disability community as captured in the quote below.

When the wife of the then executive governor Hajiya Hauwa Isa Yuguda took the motion to the house of assembly a few of us PWDs [special needs persons] came together and wrote our own memo and went to the State House of Assembly in support of the bill to be established. So there was supportive document from PWD before the bill was passed

-FGD [visual impairment]

This quote clearly brings to fore the issue around coordination, the level of engagement with the various disability clusters and the quality of their engagement with the process.

However, interrogating the felt experience of the PWDs and their perspectives showed that when it comes to their sexuality, the following three issues were of major concern to them:

1. The general societal perception that PWDs are asexual – unfortunately and for unexplainable reasons, there's this pervasive societal myth (some sort of unconscious bias) that people with disabilities are not sexual beings, which often lead to their SRHR needs being ignored or dismissed by family, healthcare providers, and society at large

2. High risk of sexual abuse and violence – PWDs, especially women and girls, are at a significantly higher risk of experiencing physical, emotional, and sexual abuse and other forms of gender-based violence. This is often due to their heightened vulnerabilities resulting from power imbalances and dependence on caregivers.

3. The negative attitude of health care providers – health care workers generally lack awareness, training, or sensitivity regarding disability, leading to disrespectful treatment, judgment, or an unwillingness to provide care for PWDs.

These three issues were considered the major driving force behind the lack of access of PWDs particularly women & adolescent girls, to contraception and comprehensive abortion care services.

Objective 3:

Assess the implementation of the Bauchi State PWD Law (2010), identifying key successes and gaps

Two of the research questions guided our exploration of this research objective. They are:

- a. **What is the level of implementation of the Bauchi state PWD law** – this question sought to explore existence of mechanisms for the law implementation in the state, – availability of work plans, budget/funding for the agency, key activities implemented so far and results/impact of interventions, how actively state and non-state actors are engaged in the implementation of the State PWD Law.
- b. **What are the successes recorded so far?** Is there any major success documented as a result of implementing the law since its enactment?

The law was not implemented. The government did not consider our rights and welfare. For example, the state government did not make provision for scholarship for the education of PWDs. Recently the state government sponsored about 100 people to China for studies but none of them is a PWD. On health, PWDs do not have access to free health care, there is no mental health counselling for PWDs. On employment, for the past 10 years, PWDs have not been employed by the state though, the government is in recent times working towards addressing that.

– FGD [hearing impairment]

I don't know if the agency has gone out once to monitor public buildings for compliance with the 5 years transition period to ensure accessibility for PWDs

– FGD [physically challenged]

I think that CSO involvement in the implementation of the law is below 5%. If you go around sampling opinion, I'm not sure level of awareness of the law will be up to 10%. The current format of the law makes it inaccessible to PWDs as there are no braille or voice note versions

– IDI [CSO Lead]

During COVID-19, there was a curfew that was announced on radio but I was not aware of it and that was the case with several deaf people. Around 7pm, I went out with my motorcycle and security officials ceased it so I had to trek

- FGD [hearing impairment]

What we need to point out clearly is that all the free education some schools are giving in Bauchi state is not funded by the state government but the schools themselves. The stakeholders of the schools who feel these PWDs deserve some support sine they want to study

- FGD [visual impairment]

I've heard of none at all since I've been in this state. I've heard of several allegations of PWDs that are being violated, their rights being violated and molested but nothing is done. Just of recent, I don't know if any of you is aware, there was the case of Hamza Waziri I don't know if his case was taken anywhere and if something was done. I do not say nothing was done but personally I'm not aware if anything was done so I cannot say this is one case of prosecution that was made in connection with the law in the state

- FGD [visual impairment]

The academics, zero; no support, no financial scholarship. I've heard that Bauchi state government has been sponsoring people to go study abroad, what about people with special needs, can't we study abroad or they think we can't deliver, the Bauchi state government needs to know that whatever they are doing to us they are not doing us favor; they are giving us our rights because we are citizens like others, we have our voter's card and we vote like the normal people do. They are not helping us; they are just fulfilling their own responsibility

- FGD [visual impairment]

Talking about economic empowerment, bringing us to government house to giving us little token is not economic empowerment, what we need is capacity for self-reliance. The 3% employment provision in the law is too small for us, it needs to be increased to 5%-10% and not only on paper, we want to see it practical

- FGD [visual impairment]

Do you know that lawyers are not aware of this law? I don't have a copy; I asked and asked and asked, I've been to Ministry of Women Affairs; at some point I was thinking is it an occultic document? On this law, we are going to start everything afresh if we are to make impact

- FGD [CSO lead].

These direct quotes above tell the story of implementation of the law in the state. The overwhelming consensus from the PWDs and CSOs actors in the state is that there's currently a huge implementation gap. The perception is that nothing significant has is going on in terms of implementation since passage of the law. Whereas there are pockets of activities here and there, largely driven by donors, no coordinated implementation driven by a carefully articulated state strategy is in place.

Objective 4:

Develop recommendations and learnings to inform a review of the Bauchi State PWD Law and strategy recommendations to address gaps in the implementation of the law.

The relevant research questions that guided exploration of this research objective were:

- a.) What are the key implementation challenges so far experienced? Explore issues around funding, coordination between key MDAs, work planning, implementation tracking, etc
- b.) How can the State PWD Law be better positioned to enhance the active and meaningful participation of PWDs especially in actualizing their sexual and reproductive health and rights? Here we sought to identify and document any key lessons to deepen and strengthen implementation. Explore any emerging issues (like the SRHR of PWDs) not envisaged or adequately captured in the law. What key gaps from the implementation and recommendations to address them.

The leadership of the agency is an area of challenge. The chairman for example is a person with disability while the ES is not. This has created a challenge because the chairman is a part time board member which means the agency is not being headed by a PWD

– FGD [physically challenged]

The agency for PWDs was one of our partners that we interface with during our project implementation. We don't provide funds to the agency but we were able to provide them with some level of awareness and capacity building.

– IDI with IDP

We assessed 5 domains of the Agency – Planning, M&E, Leadership, HR and Resource Mobilization. The report is unpublished so I cannot release it to you. Documentation was one of the weaknesses; if you ask for information, it is not available. HR was the poorest because for some time now Bauchi state has not recruited civil servants. Overall, capacity of the agency was weak, there is urgent need for capacity needs assessment for the agency to guide targeted capacity strengthening support

– IDI with IDP

There is no database on PWDs in the state. Associations of PWDs in the state are not properly organized. There's a lot of bickering and division amongst them. They do not have a unifying goal that cuts across the different disabilities. They need a stronger leadership & cohesion to better project themselves and attract much needed support

– IDI with IDP

The issue of attitudinal barrier because of the way society sees PWDs, the perception that they cannot do anything if we employ them which is wrong. PWDs are like every other person and if they are properly trained, they can contribute like others. All we are saying is if we are competent and capable just employ us not in a charity model

– FGD [physically challenged]

Advocate to change the agency to a commission. That will give it an autonomous status with statutory provision for it to receive funds without the oversight of a parent ministry

– IDI [CSO Lead]

That is how we started with the VAPP law, people were not reporting but with constant sensitization, using the abridged version in rural areas has resulted to improved reporting of cases of gender violence. We currently have 4 cases in our trauma counselling room and these are fresh people.

– IDI [CSO lead]

The agency should be changed to a commission because the population of PWDs is too high for an agency to be able to cater for

– FGD [hearing impairment]

If we have education, we can take care of ourselves and not be beggars. There is need for massive awareness campaign by the agency to promote the capability, achievement and contribution of PWDs. don't see them as dependent we can contribute. I don't think there is any program in the state that is doing that

– FGD [physically challenged]

Interrogating implementation challenges threw up a myriad of issues such as poor funding, weak institutional capacity of the agency, lack of awareness of the law, current leadership structure of the agency in terms of representation of PWDs in the leadership structure, low level of involvement of CSOs in implementation.

DISCUSSION

In this section, we provide an in-depth analysis and interpretation of the results presented in the preceding section. We critically evaluate our findings explaining their significance in relation to the study objectives, presented in the table below.

Research Objective	Analysis & Interpretation
<u>Objective 1:</u> Conduct a comparative desk review of the National Disability Prohibition Act (2018) and the Bauchi State PWD Law (2010).	The desk review enabled a content analysis of the document to determine the extent to which it addressed the SRHR issues of PWDs as well as potential areas for improvement. A key finding from the desk review was that no specific provisions were made in the Bauchi State Agency for Persons with Disability Law (2010) for the SRHR needs of PWDs. What you find in the document was rather, generic provisions covering the health needs of PWDs.
<u>Objective 2:</u> Assess the extent to which SRHR issues of PWDs have been captured in the Bauchi State PWD law 2010.	Very clearly, the SRHR issues of PWDs were not captured in the Bauchi State PWD Law 2010. This could be due largely to the non-participatory and inclusive approach to development of the law. Whereas there was the claim of PWD involvement in the process through a supportive memo to the state House of Assembly, the content and quality of that memo could not be ascertained. Two key issues readily come to mind: 1. Technical and Programmatic Capacity of PWDs: While increased engagement of Persons With Disabilities (PWDs) in the development, implementation, and Measurement & Learning of relevant initiatives is crucial, a serious focus on enhancing their technical and programmatic capacity is imperative. Without adequate capacity building, involving PWDs risks becoming tokenistic rather than a meaningful partnership. 2. Coordination within Disability Clusters: Another significant gap is the level of coordination among different disability clusters. Recognizing the distinct needs of each cluster is essential. However, stronger cohesion between these clusters is necessary for more effective advocacy and a strategic approach to addressing disability issues.

Objective 3:
Assess the implementation of the Bauchi State PWD Law (2010), identifying key successes and gaps.

Nearly fifteen years after passage of the law, there's really nothing concrete on ground backed by verifiable date/evidence to demonstrate meaningful implementation of the law. The state did well to establish the Agency for PWDs as prescribed by law, the reality however, is that the agency as presently constituted lacks the requisite capacity to provide leadership and coordination of a multisectoral response to PWDs issues in the state. This is a major factor in the low level of implementation of the law in the state.

The agency currently has no strategic plan from which to devolve annual implementation plans. This means annual budgeting is not based on any clear strategy or focus. One of the agency staff in the course of this assessment remarked that their budget is usually at the discretion of the state Ministry of Budget and Planning, who sends them the budget ceiling allocated to the agency and then they subsequently develop their budget and route same through the Budget & Planning Ministry to the State Executive.

Of the 6 departments defined in the law establishing the agency, only 4 are currently functional. As at time of this assessment, the agency was awaiting feedback from the Head of Service (HoS) to give approval to formalize the Planning Research and Statistics (PRS) department. An agency staff confirmed that no plan was in place to activate the Legal Services department.

No staff of the agency has a laptop or desktop except the Executive Secretary. According to an agency staff interviewed, there are no work tools for staff, despite haven repeatedly written to government no positive response yet. Some staff claimed existence of Job Descriptions (JDs) for staff, none of the 5 agency staff interviewed could provide any evidence to substantiate that claim.

Staff of the agency are not familiar with the law as they do not have a copy; I interviewed 5 senior cadre staff of the agency and only 2 had a printed copy of the law on their desk for sighting.

Objective 4:
Develop
recommendations
and learnings to
inform a review of the
Bauchi State PWD
Law and strategy
recommendations to
address gaps in the
implementation of the
law.

The recommendations put forward here are based on the analysis and synthesis of key issues relating to the first three objectives.

The desk review of content of the law shows a clear need for a participatory and inclusive review of the entire law to ensure it more adequately:

1. Capture the SRHR concerns of PWDs around issues pervasive societal concept that PWDs are asexual, high vulnerability to sexual abuse & gender violence and negative attitudes of healthcare workers
2. Address the structural leadership issue of the agency and possibly transit the agency into a commission as has been canvassed by some stakeholders. The obvious advantages of a commission outweigh that of an agency.

The huge implementation gap that currently exists in my analysis is due largely to the weak technical and operational capacity of the agency to drive the multi-sector response. Therefore, strengthening the capacity of the agency is a critical first step towards improvement in the law implementation. The agency needs a radical departure from the typical civil service mode into a more professional organization that is fit-for-purpose. Any meaningful investment in the agency's capacity must be preceded by a rigorous organizational capacity assessment (OCA) of the agency in order to tailor a customized capacity strengthening program for the agency.

CONCLUSION & RECOMMENDATIONS

The enactment of a law and the establishment of a legally backed agency for Persons With Disabilities (PWDs) in Bauchi State represents a significant and commendable milestone. Key stakeholders in the disability response ecosystem widely acknowledge this progress, despite existing challenges. This assessment engaged these stakeholders to explore and understand the current level of implementation of the state's PWD law, identify successes and challenges, and extract learnings to enhance the overall ecosystem.

Interviewed stakeholders provided diverse opinions and recommendations for improving law implementation. Based on a comprehensive analysis of their perspectives and recommendations viewed through a system-wide lens, the following actions have been identified as possessing strategic and catalytic importance for the advancement of the ecosystem.

- 1. Advocate for the Agency's Transition to a Commission:** Push for the transformation of the current agency into a commission. This change will grant the necessary autonomy and enhance its capacity to directly secure government funding, bypassing the need for a supervisory ministry.
- 2. Strengthen the Agency's Organizational Capacity:** Invest in bolstering the agency's organizational capabilities to effectively lead and coordinate a multi-sectoral implementation of the state PWDs law. This should include the development of a costed, multi-year, and multi-sector strategic plan.
- 3. Mandate Budget Allocation for PWD Inclusion:** Advocate for the enactment of legislation or the inclusion of a provision requiring all development partners operating in the state to allocate a minimum of 5% - 10% of their budgets to directly benefit PWDs through their program interventions. This will ensure the systematic inclusion of PWDs in all development initiatives within the state.
- 4. Implement Robust Awareness Campaigns on the Disability Law:** Conduct comprehensive sensitization and awareness creation initiatives regarding the state disability law at community, Local Government Area (LGA), and state levels, targeting all relevant sectors as outlined in the law. Leverage Ipas' existing experience and expertise from their work on the VAPP Law in the state to drive this effort. This will necessitate the production of accessible, abridged versions of the law tailored to different disability clusters.
- 5. Facilitate an Inclusive Review and Update of the Law:** Support the agency in leading a consultative and inclusive process to review and update the state disability law, with a specific focus on integrating Sexual and Reproductive Health and Rights (SRHR) issues for PWDs. The National Policy on the SRHR of PWDs with Emphasis on Women & Girls offers a relevant framework for incorporation into the state legislation.
- 6.** A strategic approach to take in achieving recommendation #5 above is to provide technical and funding support to key CSO groups in the state like Ikra Foundation who already have a strong collaboration with the Agency, to provide support to the agency in driving this process. A starting point will be to facilitate setting up a **4 to 5 persons working group** (with members from CSO, PWDs groups, and MDAs) that will

develop an advocacy strategy to guide the advocacy efforts for review of the law. A key ask in the law review will be:

- a. Transitioning of the agency to a commission
- b. Articulating clear provisions that address the SRHR concerns of PWDs as stated in this report

In addition, the strategy will clearly define the key advocacy targets in the executive and legislative arms of government as well as any other key stakeholders that should be cultivated.

SN	Recommendation	Relevant Broad Theme
1	Advocate for the Agency's Transition to a Commission: Push for the transformation of the current agency into a commission. This change will grant the necessary autonomy and enhance its capacity to directly secure government funding, bypassing the need for a supervisory ministry.	Sustainable State Mechanism for Implementation
2	Strengthen the Agency's Organizational Capacity: Invest in bolstering the agency's organizational capabilities to effectively lead and coordinate a multi-sectoral implementation of the state PWDs law. This should include the development of a costed, multi-year, and multi-sector strategic plan.	
3	Mandate Budget Allocation for PWD Inclusion: Advocate for the enactment of legislation or the inclusion of a provision requiring all development partners operating in the state to allocate a minimum of 5% - 10% of their budgets to directly benefit PWDs through their program interventions. This will ensure the systematic inclusion of PWDs in all development initiatives within the state.	
4	Implement Robust Awareness Campaigns on the Disability Law: Conduct comprehensive sensitization and awareness creation initiatives regarding the state disability law at community, Local Government Area (LGA), and state levels, targeting all relevant sectors as outlined in the law. Leverage Ipas' existing experience and expertise from their work on the VAPP law in the state to drive this effort. This will necessitate the production of accessible, abridged versions of the law tailored to different disability clusters.	

5	Facilitate an Inclusive Review and Update of the Law: Support the agency in leading a consultative and inclusive process to review and update the state disability law, with a specific focus on integrating Sexual and Reproductive Health and Rights (SRHR) issues for PWDs. The National Policy on the SRHR of PWDs with Emphasis on Women & Girls offers a relevant framework for incorporation into the state legislation.	Address PWDs key SRHR Issues in Law Content Meaningful Participation of PWDs in Law development & implementation
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REFERENCES

(Federal Ministry of Health, Nigeria, 2018) The National Demographic and Health Survey
(The World Health Organisation, 2018) Disability Inclusion in Nigeria; A Rapid Assessment
(University of Abuja, Mastercard Foundation, 2022)

APPENDIX

1. Focused Group Discussion Guide

FGD Guide _ PWDs

Introductions and welcome (10 mins)

Warmly welcome everyone in the room and facilitate a quick introduction – might use a quick ice-breaker activity!

Thank everyone for volunteering to participate and emphasize that their opinions are important and will help us better assess the level of implementation of the Bauchi state disability prohibition law with a view to putting forward key recommendations to improve it.

Clarify that all opinions are valid and the discussions are extremely valuable, and we will all be respectful of each other's opinions.

Inform participants that the session will be recorded to be sure we don't miss any point; do I have your consent to proceed?. However, no one will have access to the recording except Ipas NHF staff and consultants, and it will be destroyed after it has been reviewed and analyzed.

Discussion Prompts (45-60 mins max)

1. Can you tell me what you know about the Bauchi state law to protect and promote the rights & welfare of people with disabilities in the state?
[Probe for knowledge of sections of the law and key provisions relating to the SRHR needs of PWDs]
2. Were you in any way involved in the development of the law?
[probe for the process – how participatory and inclusive it was]?
3. How will you describe implementation of the law since its passage?
[probe for dissemination of the law, level of awareness of the law, activities implemented so far by any stakeholder including the PWDs groups, relationship with the state agency for PWDs, MDAs, other implementers in the state working on PWDs issues, etc]
4. Would you say the law has in any way contributed to improvement in the welfare and wellbeing of PWDs in the state?
[probe for any concrete action/outcome to support response]

5. Are you aware of any prosecution and conviction of incidences of violation of the rights of PWDs based on the law?
6. What in your own opinion are the implementation gaps so far?
7. What do you suggest should be done and by who, to address those gaps?
8. Given that the law was passed over 14 years ago, are there any emerging issues that the law did not envisage or cover adequately that you would like to flag?

2. Key Informant/In-depth Interview Guide

KII & IDI Guide

Introductions and welcome (10 mins)

- TM** Introduce self and warmly welcome your respondent.
- TM** Thank the respondent for availing him/herself for the interview.
- TM** Emphasize that the respondent's opinions are important and will help us better assess the level of implementation of the Bauchi state disability prohibition law with a view to putting forward key recommendations to improve it. Assure respondent of confidentiality of response and encourage honest objective feedback.
- TM** Secure respondent's permission to record the session and clarify that the recording is to ensure no vital point is missed. Assure respondent that no one will have access to the recording except Ipas NHF staff and consultants, and it will be destroyed after it has been reviewed and analyzed.

Discussion Prompts (45-60 mins max)

Sections	Probing questions
Section 1: the law development process (participation & inclusiveness)?	Are you familiar with the state PWD law? Could you share your experience with the Bauchi PWD law development process? Probe for - • Involvement in the process? • Specific role? • Which other stakeholders were involved in the process? • Knowledge of key sections and provisions of the law particularly relating to the SRHR needs of PWDs

**Section 2:
level of implementation of
the Bauchi state PWD law**

What will you say is the role of your ministry in the implementation of the PWD law?

How will you describe your ministry's implementation of the law since its passage? - Functionality of the MDA; probe for -

- existence of annual work plans that guide the ministry's response
- budgets
- other funding sources
- activities implementation
- documentation and reporting.

How will you describe your relationship with the State Agency for PWDs?

Probe for -

- Evidence of inter-agency collaboration between the MDA and the state agency and other stakeholders

What major successes has your ministry so far recorded in implementing the law? Is there any major achievement recorded so far that you're proud of and would want to showcase?

Since passage of the law in the state, would you say there has been -

- a. improved reporting of violations
- b. any prosecution and conviction of offenders?

**Section 3:
improved positioning
of the state PWD law
towards more active and
meaningful participation
of PWDs to actualize their
sexual and reproductive
health and rights?**

What in your own opinion are the implementation gaps so far?

What do you suggest should be done and by who, to address those gaps?

Given that the law was passed over 14 years ago, are there any emerging issues that the law did not envisage or cover adequately that you would like to flag?

National PWD SRHR Policy [specifically for SMOH, Women Affairs & Justice]

- are you aware of the national SRHR policy for PWDs came out in 2018, 8 yrs after the Bauchi law?
- are there specific issues the policy addressed that need to be reflected in the state law?
- do you recommend that Bauchi state adapt the national PWD SRHR policy to her context?

**Section 4:
key implementation
challenges so far
experienced and
recommendations to
address them**

What would you say have been the most critical challenges (1-3) to implementing this law over the years?

What would recommend as solutions to addressing these challenges and by who?

Ipas Nigeria Health Foundation works to empower women and girls to have bodily autonomy and exercise their sexual and reproductive health and rights. As partners for reproductive justice, we build collective action that transforms societies to enable women, girls, and vulnerable persons to manage their fertility and realize their full potential.