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## Towards Improving Consumer Access to Justice in Nigeria: Assessing the Role of Small Claims Court and the Legal Aid Scheme

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**ABSTRACT:** This paper examines consumer access to justice from human rights perspective through the prism of international instruments and best practices. The paper found that although access to justice is a global problem, but the Nigerian situation is more worrisome. The Nigerian judicial system is congested and delays prone. The country lacks functional, accessible and expeditious redress mechanisms; and legal aid structures for better consumer access justice. The paper concludes that there is need to overhaul the existing legal and institutional structures in Nigeria to make justice accessible to the Nigerian consumer. The paper recommends the rejuvenation of the extant legal and institutional structures such as the Legal Aid Council and the establishment of small claims/consumer court for better consumer access to justice, and overall consumer rights protection.

**KEYWORDS:** access to justice, consumer access to justice, small claims court, legal aid, consumer protection

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### INTRODUCTION

The Magna Carta in 1215 declared that "to no-one will we sell, to no one deny or delay right or justice."<sup>1</sup> Since then access to justice (A2J) has been part of the public discuss. In fact, A2J and legal aid have been pillars at the early stage of the establishment of welfare states in countries such as the United Kingdom.<sup>2</sup> According to the Chief Justice of Canada, the right to A2J "is a fundamental right, not an accessory."<sup>3</sup>

Today, however, lack of A2J is a global problem. Specifically, effective A2J is a problem to consumer protection systems.<sup>4</sup> In particular, it is a global problem for the poor and middle income consumers. It is a problem across all jurisdictions including developed jurisdiction such as

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<sup>1</sup> Quoted in, Hale B. (2011). *Equal Access to Justice in the Big Society*, Sir Henry Hodge Memorial Lecture, 27 June, London, organized by the The Law Society.

<sup>2</sup> Mayo, Marjorie. (2013). *Providing Access to Justice in Disadvantaged Communities: Commitments to Welfare Revisited in Neo-Liberal Times*. *Critical Social Policy*, 33, (4)679-699.

<sup>3</sup> Keynote address at the Faculty of Law's Access to Civil Justice for Middle Income Canadians Colloquium, February, 2011.

<sup>4</sup> Stephen, W. (2005). *EU Consumer Law and Policy*: Edward Elgar, Publishing

the U.S., Canada and Europe.<sup>5</sup> In Europe for instance, notwithstanding the incorporation of consumer protection in the Charter of Fundamental Rights of the European Union<sup>6</sup> as a solidarity right, and the fact that the Lisbon Treaty has provisions relating to consumer protection, consumer access to justice still remains a problem in the EU.<sup>7</sup> Apart from the cost of litigation and the consumers' "lack of rights awareness," the regular courts are plagued with inordinate delays especially in developing countries.<sup>8</sup> The weak consumer exploited by businesses is poor and under too many pressures to resist the exploitation. In most countries, he is left with the only delay prone regular courts. According to Consumer International, consumer access to redress remains one of the priority consumer concerns globally in the next 3 years.<sup>9</sup> The Nigerian situation appears to be amongst the worst. A recent revelation from a board member of the Nigerian Legal Aid Council reported that over 100 million Nigerians lack A2J. A greater percentage of Nigerians are poor<sup>10</sup> as such cannot afford lawyer's services. Even the Nigerians who can afford lawyer's services have had to live with the delay prone and congested judicial system and many related problems in the country. This remains the case despite the fact that the country's constitution declared that the government of Nigeria is based on democracy and social justice.<sup>11</sup> Simple cases could take decades to be decided by the courts in the country. Again the legal aid scheme suffers from a lot of problems of understaffing and limitation in scope. Cumulatively, these account for the inaccessibility of the Nigerian consumer to justice. The Nigerian consumers need to access justice with less stress and financial burden. The need is predicated on the fact that the security and welfare of the citizens are the primary essence of the government of Nigeria.<sup>12</sup> Again, access to justice is one of the fundamental criteria for gauging the democratic structures and the functionality of a country's judicial system.

This paper, therefore, examines the global problem of A2J and the quest for improving A2J for the Nigerian consumer. More importantly the call made elsewhere for a clear incorporation of consumer rights in concrete legislative terms in Nigeria would render the consumer rights protection measures less efficient in the country "unless efficient and appropriate means to assert those consumer rights is put in place."<sup>13</sup> The paper considers consumer access to justice (CA2J) from human rights perspectives. The paper critically assessed the role consumer courts and the legal aid scheme could serve in improving consumer access to justice in Nigeria.

## **2.0 Consumer Access to Justice as a Human Rights Issue**

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<sup>5</sup> Knapp, S. (2013). Current Developments 2012 – 2013: Can LegalZoom be the Answer to the Justice Gap. *Geo. J. Legal Ethics*, 821; Roach, K. & Sossin, L. (2010). *Law, Economics and Public Policy: Essays in Honour of Michael Trebilcock*: V Social and Public Policy: Access to Justice and Beyond. Univ. of Toronto L.J. 60; Alan, H. W. (2009- 2010). The Future of Civil Legal Aid: Initial Thoughts. *University of Pennsylvania Journal of Law and Social Change*, 13, 265 - 293; Diller, R. & Savner, E. (2009). Restoring Legal Aid for the Poor: A Call to end Draconian and Wasteful Restrictions. *Fordham Urb. L.J.* 36, 688-710

<sup>6</sup> Article 38, The Charter of Fundamental Rights of the European Union

<sup>7</sup> Benohr, I. (2013). Consumer Dispute Resolution After The Lisbon Treaty; Collective Actions and Alternative Procedures. *Journal of Consumer Policy*, 36, 87-110; Benohr, I. (2013). *EU Consumer Law and Human Rights*: Oxford University Press (OUP)

<sup>8</sup> Ann, B. (2014). ADR Development Within European Union, in *ADR, Arbitration, And Mediation: A Collection of Essays* ed. Cesar Betancourt and Jason A. Crook: ArtHouse; Benohr, I. (2013). *EU Consumer Law and Human Rights*. OUP; The World Bank. (2000). *Reforming Civil Justice Systems: Trends in Industrial Countries*. Public Sector 46

<sup>9</sup> Consumer International. (2013). Survey on State of Consumer Protection Around the World (conducted between November 2012 to January 2013 and was published on the 7th of March, 2013. <http://consint.info/cpsurveydata> (accessed March 10, 2013); Deutch, S. (2004). Consumer Class Actions: Are They a Solution for Enforcing Consumer Rights? The Israeli Model. *Journal of Consumer Policy*, 27 (2), 179- 212

<sup>10</sup> The World Bank. (2013). Human Development Index.

<sup>11</sup> Section 14 (1), Constitution Federal Republic of Nigeria, Cap, Laws of the Federation of Nigeria, 1999.

<sup>12</sup> Section 14 (2) (b), Constitution Federal Republic of Nigeria, Cap, Laws of the Federation of Nigeria, 1999.

<sup>13</sup> L'Heureux, N. (1992). Effective Consumer Access to Justice: Class Actions. *Journal of Consumer Policy*, 15, (4), 445- 462; A.A. Cançado Trindade. (2011). *The Access of Individuals to International Justice*: OUP.

Every person is a consumer and is entitled to sue and be sued, and to be heard promptly and fairly over any defective good supplied or service failure whether by private or public companies. This is a right which the U.S. Supreme court held to be "one of the highest and most essential privileges of citizenship."<sup>14</sup> Today, this guarantee can be traced to international, regional and domestic treaties and legislation. These include the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECPHRFF), The African Charter on Human and Peoples Rights (ACHPR) and the Constitution Federal Republic of Nigeria (CFRN), 1999 as amended.<sup>15</sup> Article 10 of UDHR for instance provides that;

"Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

The EU's approach to the right to A2J appears more interesting. Apart from declaring consumer protection as a fundamental right in Article 38 of the EU Charter of Fundamental Rights, Article 47 made provisions for an effective remedy and the right of representation before an independent tribunal. By the article,

{e}veryone whose rights and freedoms guaranteed by the law of the Union are violated has the right to an effective remedy before a tribunal in compliance with the conditions laid down in this Article.

Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal previously established by law. Everyone shall have the possibility of being advised, defended and represented.

Although, from a literal reading of the provisions of Article 10 of UDHR quoted above and similar provisions in Article 7 of ACHPR and Section 36 of the CFRN, the right to A2J is not expressly stated, it is submitted that the right is inherent. Guidance can be sought from the reasoning of the European courts in their interpretation of Article 6 (1) of the European Convention on Human Rights. According to the courts, the right of access to court is inherent in the above articles and sections.<sup>16</sup> Same reasoning was reached in the case of *R (Witham) v Lord Chancellor*.<sup>17</sup>

By a careful perusal of the provisions of the above instruments, It is submitted that leaving the consumer with only litigation before the regular courts amounts to a denial of equal justice. This is because litigation is undisputedly expensive and only affordable to the rich. The fact that every Nigerian is a consumer presupposes that every Nigerian has the right to have his consumer grievance heard before a less expensive, prompt and accessible forum. Maintaining the status quo where only the rich and the powerful businesses who can afford to pay for legal services access to the regular courts is a denial of the consumers' right to have their cause heard. This also violates Article 19 the ACHPR, which requires every person to be accorded equal rights and the enjoyment of the same. The Article provides;

"All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another."

It is submitted that where citizens as consumers are not provided with other opportunities outside the regular or ordinary courts to ventilate their grievances, they are not accorded the same

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<sup>14</sup> Chambers Vs. Baltimore & Ohio Railroad, 207 U.S. 143 (1907).

<sup>15</sup> Articles 8 & 10, Universal Declaration on Human Rights, 1948; Article 14 International Covenant on Civil and Political Rights, Article 7(1) of the African Charter on Human and Peoples Right; Section 36, Constitution Federal Republic of Nigeria, Cap C, Laws of the Federation of Nigeria, 1999 as amended; Article 6 European Convention for the Protection of Human Rights and Fundamental Freedoms

<sup>16</sup> *Golder v United Kingdom*, (1979-80) 1 EHRR 524, decided 21 February 1975.

<sup>17</sup> [1998] QB 575

rights with the rich who can afford to pay for legal services. They are poor to hire lawyers; as such they are denied justice. This is contrary to the social order of the government of the country which the Nigerian constitution declared to be founded on ideals of freedom, equality and justice. This because the establishment of a court system that is accessible is a fundamental aspect of the social order the Nigerian Constitution declared.<sup>18</sup> The delay prone, costly and procedurally technical court system is not in agreement with what the constitution makers envisage as it is not accessible to many million Nigerian consumers.

From the above pieces of legislative instruments, it could be seen that access to justice is a human right but its realisation as such has become a nightmare for consumers in view of several barriers which include lack of resources to afford counsel and poorly funded legal aid schemes.

### **3.0 STRUCTURES FOR IMPROVING ACCESS TO JUSTICE IN NIGERIA**

#### **3.1 Small Claims Court and Other Friendly Consumer Dispute Settlement Mechanisms:-**

Small claims court is pro-poor and consumer friendly. Its existence especially in societies mostly dominated by the poor raises the efficiency of the administration of justice as many would be protected. This fact was acknowledged by Roscoe Pound exactly a century ago. Roscoe Pound emphasized the need;

"... to make adequate provision for petty litigation, to provide for disposing quickly, inexpensively, and justly of litigation of the poor, for the collection of debts in a shifting population, and for the great volume of small controversies which a busy, crowded population, diversified in race and language, necessarily engenders. It is here that the administration of justice touches immediately the greatest number of people."<sup>19</sup>

In today's world, consumer rights and remedies need to be assured. The success of consumer rights and remedies protection, however, is premised on the existence of simple and cheap consumer redress mechanism. Less formal and inexpensive redress mechanism enhances consumer access to justice.<sup>20</sup> Small claims or consumer courts generally fits in these characteristics. The desire for a simple and friendly dispute resolution mechanism for consumer grievance in the Anglo-American judicial system is of great antiquity. It dates back to 1606 when the Small Debt Court was established in England.<sup>21</sup> In the US, the first small claims court was established in 1913 in Cleveland, Ohio. In the African context, the importance of small claims court and restrictive trade practices tribunal for the protection of consumer rights, and improved access to justice were felt at the African regional level in 1996. This was at the African Regional Conference on consumer protection at Harare Zimbabwe. The conference gave birth to the African Model law on consumer protection. This model law was meant to guide governments in Africa in enacting appropriate consumer legislation or amending existing ones. The consumer

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<sup>18</sup> Section 17, (1) & (2) (e) Constitution Federal Republic of Nigeria, Cap, L.F.N. 2004. It should be stated that the Nigerian constitution instead of calling Chapter 2 as economic social and cultural rights termed it fundamental objectives and Directive Principles of state policy.

<sup>19</sup> Roscoe, P. (1913). The Administration of Justice in the Modern City. HARV. L. REV. 26,315

<sup>20</sup> Sheldrick, B. M. (2012). Access to Justice and Legal Empowerment as Vehicles of Poverty Alleviation: Governance Challenges to Linking Legal Structures to Social Change. Paper Series on Legal Empowerment for sustainable Development, a Publication of Center for Sustainable Development, Faculty of Law, Mc Gill University, Montreal, Quebec, Canada.

<sup>21</sup> Jill, G. I. (2013). AT&T Mobility and the Future of Small Claims Arbitration, Sw. L. Rev., 42(47), 47-85; Ynguesson, B. & Hennessy, P. (1975). Small Claims, Complex Disputes: Review of the Small Claims Literature. Law and Society Review, 9(2), 219-274.

groups and international agencies in the region are also to benefit from the guidance offered by the Model Law.<sup>22</sup> The African Model on Consumer Protection sanctioned the establishment of small claims court and restrictive trade practices tribunal respectively.<sup>23</sup> The model law equally provided detail rules to guide the small claims court.

Small claims or consumer courts are consumer friendly. In comparison to regular courts, the small claims courts are less expensive, less burdensome, less technical and do not accept delays. They are effective in solving consumer complaints.<sup>24</sup> Their less formality and affordability made them the best consumer dispute redress mechanisms. In fact, they have been found to have facilitated increase access to justice especially in rural areas.<sup>25</sup> Although the small claims or consumer courts are absent in many countries,<sup>26</sup> they have been useful in addressing consumer complaints in places such as Malaysia, UK, US, Canada, Australia, India, Peru, South Africa compared to the regular courts.<sup>27</sup> Nigeria the "giant" of Africa, in terms of population and resources; with more rural population, with more consumers and wide spread market abuses does not have such important consumer dispute settlement mechanism. The consumer does not have the prime treatment he deserves. One irony is Nigeria's establishment of a National Industrial Court and not a consumer court. In fact, the Nigerian constitution was amended by the National Assembly to give the National Industrial Court constitutional flavour.<sup>28</sup> It is submitted that if a National Industrial Court can be established, there is no reason whatsoever that the country would not establish small claims or consumer tribunals. This is because all the 174 million Nigerians have stakes in consumer protection structures, and only and insignificant proportions of the population have business with labour law or industrial dispute worth deciding by the National Industrial court.

The basis for advocating avenues for improving consumer access to justice is in line with the position of scholars such as Jones and Zabia. These scholars maintain that an easy access to the court system and the establishment of "local grievance solving mechanism" such as small claims court or consumer tribunals together with other Alternative Dispute Resolution (ADR) services facilitate the settlement of consumer grievances. In fact, they are the best ways to enable the consumers develop their capability to defend their economic interest.<sup>29</sup> The local grievance settling mechanism could in a way serve as counsel for low income consumers who have no resource to sue the suppliers of goods and services before the regular courts.<sup>30</sup> This is more appropriate for countries such as Nigeria because of the poverty level and the gaps between the service providers and the consumer. Unfortunately, these are not priorities in Nigeria despite

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<sup>22</sup>Sihanya, B. (1996). (Legal Consultant, Consumers International-ROAF), Key note address at the presentation of the Model Law for Consumer Protection, Harare.

<sup>23</sup> Sections 32 and 34, African Model Law on Consumer Protection, 1996.

<sup>24</sup>Consumer Watch. (2012). Small claims and Dispute Resolution can They Yield big Wins; Peter, A., H. (2011). The One Hundred Billion Dollar Problem in Small Claims Court: Robo - Signing and Lack of Proof in Debt Buyer Cases. *Journal of Business and Technology Law*, 6, (2) 259- 285; Ursic, M. (1981). Small claims Court as Consumer Remedy. *Journal of Consumer Affairs*, 15(2), 392-395

<sup>25</sup> Finweek. (2006). Small Claims Court: Extending Justice for All: New Circuit System Will Give Access to Rural Communities. 20-20.

<sup>26</sup>Rutledge, S. L. et al. (2010). Good Practices for Consumer Protection and Financial Literacy in Europe and Central Asia: A Diagnostic Tool. The World Bank ECSPF- Working Papers 001, 29.

<sup>27</sup>Lucy, D., Op cit., 61.; UKDTI. (2003). Comparative Report on Consumer Policy Regimes. <http://www.dti.gov.uk>.(accessed February 22, 2013), 8.

<sup>28</sup> The Constitution of the Federal Republic of Nigeria (Third Alteration) Act, 2011.

<sup>29</sup>Jones, M. G. (1973). The Consumer Interest: The Role of Public Policy. *California Management Review*, 16(1), 17-24; Vernadaki, Zabia. (2010). Consumer Protection and the Reform of the European Consumer Acquis. *International Company and Commercial Law Review*, 21(9), 320.

<sup>30</sup>Haemmel, Bill. (1972). Consumer Protection-Challenge and Opportunity to the Business Law Professor. *American Business Law Journal*, 10 (1)

the poverty level and the snail like moving judicial system. It is a country where cases could stay beyond a decade before they are decided by courts of first instance.<sup>31</sup>

It needs to be emphasized that establishing consumer courts is not an end in ensuring improved consumer access to justice; there is a need for effective monitoring and reassessment to ensure that the intended result of establishing the courts, which is improved consumer access to justice is achieved. The Indian experience is a lesson for countries like Nigeria. In India, the audience granted to lawyers in the small claims court has resulted in the replication of technicalities and delay known with the regular courts.

This paper is also not oblivious of the delays identified with the small claims courts in some jurisdictions. Cheap amongst them is the time consumers have to wait between the filing of the complaints and its resolution. Other problems identified in other jurisdictions include issues of the time of sittings of the small claims court, location, number and enforcement of their judgments.<sup>32</sup> The above notwithstanding, small claims courts are better than the ordinary courts in terms of consumer access to justice.<sup>33</sup> There is high tendency that the establishment of the consumer courts would improve access to justice to the Nigerian consumer that is under too many pressures ranging from illiteracy to poverty and sicknesses.

### 3.2 LEGAL AID

Legal aid schemes are pro poor. They serve as the bridge between the weak and vulnerable class of the society to the justice system.<sup>34</sup> These include the consumers. Availability of legal aid structures in a country is a determinant of the strength and accessibility of its justice system. In countries such as UK and Australia, legal aid is one of the main means of providing consumers legal advice and representation.<sup>35</sup> In Europe, the Charter on Fundamental Rights clearly declared legal aid as a fundamental right.<sup>36</sup> This is not the case in Nigeria. Legal aid service is a duty which the states owe to citizens especially the poor. This duty was emphasized by EJ Cohn for seven decades now. According to Cohn

"Legal aid is a service which the modern state owes to its citizens as a matter of principle. . . . Just as the modern State tries to protect the poorer classes against the common dangers of life, such as unemployment, disease, old age, social oppression, etc., so it should protect them when legal difficulties arise. Indeed the case for such protection is stronger than the case for any other form of protection. The State is not responsible for the outbreak of epidemics, for old age or economic crises. But the State is responsible for the law."<sup>37</sup>

The duty for legal aid service provision is very much required in Nigeria a country with the majority of its population being poor and illiterates.<sup>38</sup> The country ranked 153<sup>rd</sup> out of 186 countries in the 2013 United Nations Human Development Index.<sup>39</sup> Although Nigeria has a Legal Aid Council Act, 1976 (amended in 2011) which established the Legal Aid Council, the scope of

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<sup>31</sup> Ariori V. Elemu (1983) 1 Supreme Court Cases (SC), 13; Wakino V. Ade John (1999) P9 Nigeria Weekly Law Reports (NWLR) Part 619, 403; Dabo V. Abdullahi (2005) ALL Federation Weekly Law Reports (FWLR) Part 255, P.1039.

<sup>32</sup> American Bar Association. (1978). Small Claims Courts Designated for those Who Use it. 64.

<sup>33</sup> American Bar Association, Op cit.

<sup>34</sup> FRA: European Union Agency for Fundamental Rights. (2010). Access to Justice in Europe: An Overview of Challenges and Opportunities, 52.

<sup>35</sup> Howells, G. & Weatherill, S. (1995). Consumer Protection Law: Dartmouth; Goldring, J. (1978). Public Law, Private Law, and Consumers' Remedies. The Australian Quarterly 50, (4), 58-66.

<sup>36</sup> Article 47, European Charter on Fundamental Rights.

<sup>37</sup> Quoted by Hale B. Op cit, 8

<sup>38</sup> World Bank. (2013). Economic Report Nigeria, No. 1 May, 2013.

<sup>39</sup> World Bank, Op cit

cases for legal aid under the Second Schedule to the Act, does not include consumer claims. By paragraph C of the said schedule the only civil claims qualified for legal aid are

1. Civil claims in respect of accidents including employee's compensation claim (under the Employee's Compensation Act, (Act No. 13 of 2010).
2. Civil claims to cover breach of fundamental rights guaranteed under chapter IV of the Constitution of the Federal Republic of Nigeria.
3. Civil claims arising from criminal activities against persons who are qualified for Legal Aid under this Act.

Even if the scope of the Act is to be amended to include consumer claims, the worrying facts are that the Council has a serious challenge ranging from funding to staffing.<sup>40</sup> As at September, 2013 the staff strength of the council is 284 personnel. <sup>41</sup>One can imagine how grossly understaffed the council to serve the over 174 million Nigerians is. No wonder as at September 2013 it was estimated that over 100 million Nigerians lack A2J.<sup>42</sup> This is a startling revelation that calls for a declaration of emergency on the issue of A2J and related structures in the country. It is recommended that Nigeria can borrow from the provisions of Article 47 of the EU Charter on Fundamental Rights. The article declared that legal aid shall be available to all poor EU citizens especially in circumstances when the aid would ensure access to justice. Legal aid in Nigeria for the poor consumers would improve access to justice to the over 100 million Nigerians to whom access to justice remains in theory.

#### 4:0 Conclusions:

On egalitarian principles, justice should be accessible to the rich and poor.<sup>43</sup> Unfortunately, it is not the case the world over. Apart from stress and cost associated with litigation, the ordinary courts are delay prone. A country like Nigeria, with the bulk of its population being poor living below the \$2 per day would obviously have a challenge for its consuming populace to access justice against service failures and dissatisfaction from their day to day transactions. As a matter of urgency, there is a need to establish consumer friendly redress mechanisms in Nigeria. This is because effective access to redress is one of the fundamentals in strengthening consumer protection.<sup>44</sup> The provision of consumer access to justice (CA2J) should not be made a charity, but a human right. The ability of consumers to access justice and get their complaints resolved with relative ease is an essential part of consumer protection policy.<sup>45</sup> Leaving consumer disputes to the delay prone regular courts is a denial of justice. This is in line with the maxim justice delay is justice denied. A complaint handling system that is "procedurally, financially and geographically accessible"<sup>46</sup> to the Nigerian consumer will greatly improve CA2J.

This paper, therefore, submits that the establishment of justice institutions such as small claims or consumer court, improving legal aid scheme would enable Nigerian consumers to protect their

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<sup>40</sup> In the communiqué issued after the 19<sup>th</sup> September, 2013 conference organised by the Legal Aid Council of Nigeria with the theme "Access to Justice: Advancing the Frontiers of Pro bono," government was urged to ensure adequate funding of the Legal Aid Council. <http://www.legalaidcouncil.gov.ng>. (accessed December 22, 2013).

<sup>41</sup>Igbintade, W. (2013). About 100m Nigerians Don't Have Access to Justice –Adelodun. National Mirror, September 30. <http://nationalmirroronline.net/new/about-100m-nigerians-donthave-access-to-justice-adelodun/>

<sup>42</sup>Igbintade, W. Op cit.

<sup>43</sup> Gibson, L. (1992). Access to Justice and Consumer Redress Within a Single Market. Journal of Consumer Policy, 15(4), 407-415.

<sup>44</sup>Consumer International, Survey on State of Consumer Protection Around the World (conducted between November 2012 to January 2013 and was published on the 7th of March, 2013 <http://consint.info/cpsurveydata> (accessed March 10, 2013); Deutch, S. (2004). Consumer Class Actions: Are They a Solution for Enforcing Consumer Rights? The Israeli Model. Journal of Consumer Policy, 27(2), 179-212; Fredrick S. Ringo, Op cit., 186.

<sup>45</sup> OECD. (2010). Consumer Policy Toolkit. 99.

<sup>46</sup> Sihanya, B., Op cit.

rights and to obtain redress against businesses or individuals. The paper recommends the establishment of a consumer court in Nigeria and the amendment and the rejuvenation of legal aid scheme to guarantee, promote, and protect consumers' rights and entitlements to a fair deal in market relations in Nigeria.