

Weekly Updates on the **#EndSARS Judicial Panels of Inquiry – No. 12**



31st January 2021 – 7th February 2021

In October 2020, following the #EndSARS Protests across Nigeria and the diaspora, the National Economic Council (NEC), directed the establishment of Judicial Panels of Inquiry by governors in Nigeria to investigate complaints of police brutality and extra-judicial killings. Membership of the NEC comprises the 36 state governors, the Governor of the Central Bank of Nigeria and other co-opted government officials. The NEC is chaired by the Vice President.

The directive to establish the Judicial Panels of Inquiry was contained in a statement issued at the end of the NEC meeting attended by governors, as part of efforts to deliver justice to all victims of the dissolved Special Anti-Robbery Squad (SARS) and other police and security units. The statement added that the panel's assignment should be concluded within a maximum of six (6) months unless it "shows convincing reasons why a state governor should allow an extension."

NEC also decided that all state governors will set up a Victims' Fund to facilitate the payment of monetary compensation to survivors of police brutality. However, there is no evidence to suggest that a Victims' Fund has been opened by the governors.

On 27 January 2021, both the Kwara and Adamawa State Judicial Panels of Inquiry concluded hearing the 25 and 14 petitions they had received respectively.

Cracks emerged in the Lagos State Judicial panel on 6 February, 2021 over whether the Lekki Concession Company (LCC) should repossess Lekki Toll Gate, the scene of the alleged shooting on 20 October, 2020. Justice Doris Okuwobi, and four other members of the Panel agreed that LCC should take over the toll gate, while the Panel members representing civil society and the youths in the panel were absent when the ruling was delivered. The civil society and youth representatives gave divergent views in their minority rulings when they joined the panel. The Chair of the Panel claimed a quorum had been formed with five members seated. The claims by the Chairperson of the Panel are curious and inconsistent with her earlier decision to halt proceedings in November 2020 due to the absence of the youth representatives following the freezing of Rinu Oduala's bank account over alleged sponsorship of the #EndSARS protests.

Yiaga Africa and Enough is Enough Nigeria (EiE)'s observation of the Panels of Inquiry will continue to provide information to promote transparency and accountability and build citizens' confidence in the process.

Findings from the period under review include:

1 Petitions Submitted across the Country and Conclusion of Sittings:

Data from the panels show the following number of petitions submitted across the States and the FCT, while observer reports indicate that Judicial Panels of Inquiry have closed submission of petitions in 16 states. In Adamawa, Niger, Katsina, Kwara and Rivers States, the panels have concluded sittings/hearings and the recommendations of the panel are to be submitted to the government for implementation.

State	No. Of Petitions Submitted	End Date for Submission of Petitions	End Date for Panel Sittings/Hearings
Abia State	87	December 9, 2020	May 10, 2021
Adamawa State	14	December 11, 2020	January 27, 2021
Akwa Ibom	159	Ongoing	Undecided
Anambra State	310	November 26, 2020	Undecided
Bauchi State	19	Ongoing	Undecided
Bayelsa State	41	Ongoing	April, 2021
Benue State	51	Ongoing	Undecided
Cross River State	75	December 22, 2020	Undecided
Delta State	85	November 26, 2020	Undecided
Ebonyi State	53	Ongoing	May, 2021
Edo State	167	November 27, 2020	March 8, 2021
Ekiti State	85	November 30, 2020	Undecided
Enugu State	75	Ongoing	Undecided
FCT Abuja	250	Ongoing	Undecided
Gombe State	15	Ongoing	Undecided
Imo State	144	December 14, 2020	Undecided
Kaduna State	49	Ongoing	Undecided
Katsina State	61	December 2020	January 6, 2021
Kwara State	24	December 1, 2020	January 27, 2021
Lagos State	230	December 22, 2020	Undecided

Nasarawa State	47	December 31, 2020	February 11, 2021
Niger State	18	December, 2020	December 22, 2020
Ondo	48	February 8, 2021	Undecided
Ogun State	105	November 30, 2020	Undecided
Osun State	34	Ongoing	Undecided
Oyo State	50	Ongoing	Undecided
Plateau State	63	November 26, 2020	April, 2021
Rivers State	188	January 13, 2021	January 26, 2021
Taraba State	31	February 28, 2021	March 29, 2021

2 More Evidence Presented across Panels of Inquiry:

At the Gombe State Judicial Panel of Inquiry, the photograph of an 18 month-old baby was presented by the police as evidence while explaining the arrest of one Mr. Aliyu Muhammed who died in police custody. The deceased was arrested for attempting to rape the 18 month-old baby and died from injuries sustained from police torture according to his brother. Other evidence presented across the Panels include;

- Pictures of injuries sustained from police brutality by Balogun Adewole in Ekiti State;
- Submission of pictures of injury, receipts, and medical reports by Sergeant Areola Tosin in Ekiti State;
- Photographs of victims of police brutality in Plateau State;
- Medical report of a victim of police brutality in Bayelsa State;
- Statement of a witness taken on oath in Plateau State;
- Hospital receipts from victims of police brutality in Lagos State;

3 Lack of Public-Facing Channels to Promote Participation and Transparency

The lack of public-facing channels either via traditional or new media to promote participation and transparency remains a matter of concern as the Judicial Panels of Inquiry close the submission of petitions and end sittings on the petitions received. This situation could potentially prevent citizens from publicly accessing the final report of the Panels and engaging with relevant stakeholders towards the implementation of the recommendations of the Panels. The Panels in Bayelsa, Ekiti, Kwara, Ogun, and Lagos States as well as the National Human Rights Commission Panel in FCT must be commended for implementing Yiaga Africa and EiE Nigeria's recommendations to deploy technology and new media such as Twitter to promote participation and transparency via public-facing channels. As Panels begin to conclude sittings and prepare their reports and recommendations, it is even more important to use these channels to disseminate the reports and recommendations for citizen engagement and advocacy for implementation.

Yiaga Africa and EiE Nigeria note and recommend the following:

1. Non-Establishment of Panels and Refusal to Commence Sittings:

Yiaga Africa and EiE Nigeria further note the consistent refusal to constitute Judicial Panels of Inquiry in Borno, Jigawa, Kano, Kebbi, Sokoto, Yobe, and Zamfara States. While the seven states were part of the collective NEC decision, their actions reinforce the notion that the need to engage in meaningful security sector reform is not a national concern.

2. Citizen Engagement and Advocacy Towards Implementation of Panel Recommendations:

Citizens' engagement is crucial to ensuring that the Panels remain committed to the process designed for victims to have their petitions heard and considered. In addition, with some state Panels concluding the process, it is important citizens remain active and committed to placing demands on the government to implement the recommendations from the Panels. We encourage citizens and organizations focused on good governance, justice, and police reform in the states where hearings have been completed to write to the Panels for a summary of its activities. They should also follow the actions of the state governments in response to the recommendations of the Panels.

3. Compensation for Victims of Police Brutality:

In the five (5) states where the Panels have completed the hearings - Adamawa, Katsina, Kwara, Niger, and Rivers, it is imperative that the state governors provide a timeline for a review of the recommendations and planned actions. A starting point will be to announce the set up of Victim's Funds to pay compensations to victims.

Signed

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