

Weekly Updates on the #EndSARS Judicial Panels of Inquiry - No. 6

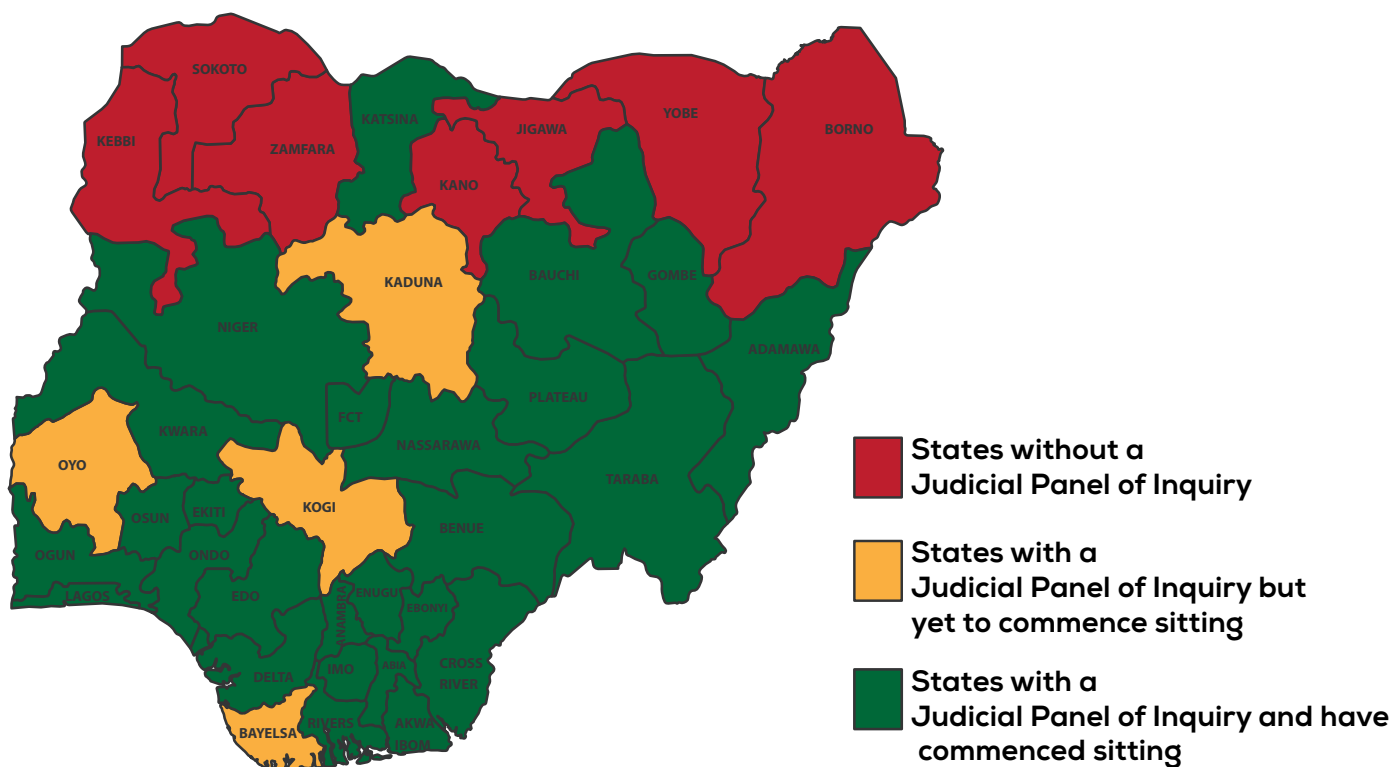


30th November - 5th December 2020

This reporting week witnessed more petitioners approaching the Panels with evidence of their horrid experiences with officers of the law who abused and tortured them leaving some with permanent injuries, and some dead. The Judicial Panels in some of the states have remained consistent in holding their weekly sittings and listening to petitioners despite the lack of cooperation by some members of the Police Force who have declined to appear as defendants before the Panels. This questions the sincerity and integrity of the Nigerian Police.

The Nigeria Police has also filed a suit at the Federal High Court in Abuja, issuing an order to "stop the various states" Judicial Panels of Inquiry probing allegations of rights, abuses and other acts of brutality of the disbanded Special Anti-Robbery Squad and other police tactical units. Yiaga Africa and Enough is Enough (EiE) Nigeria strongly condemn this action by the Police as a major move to continue a system of impunity that has enabled flagrant abuse of fundamental rights and extrajudicial killings. The Inspector-General of Police has a duty to ensure that the suit which was allegedly filed without his notice is truly withdrawn per the motion filed on 3rd December, 2020 to enable the Panels to perform their duties without any form of interference.

In the week under review, Yiaga Africa's independent citizen observers continued to attend the Panel hearings. As the sittings of the Judicial Panels of Inquiry continue in 25 states, Borno, Jigawa, Kano, Kebbi, Sokoto, Yobe and Zamfara States are yet to set up panels. It is also important to note that Oyo, Bayelsa, Kaduna and Kogi States are yet to commence sittings. It is important that the respective states establish their Panels and commence sittings to ensure that the efforts to respond to the plight of victims of police brutality are not undermined.

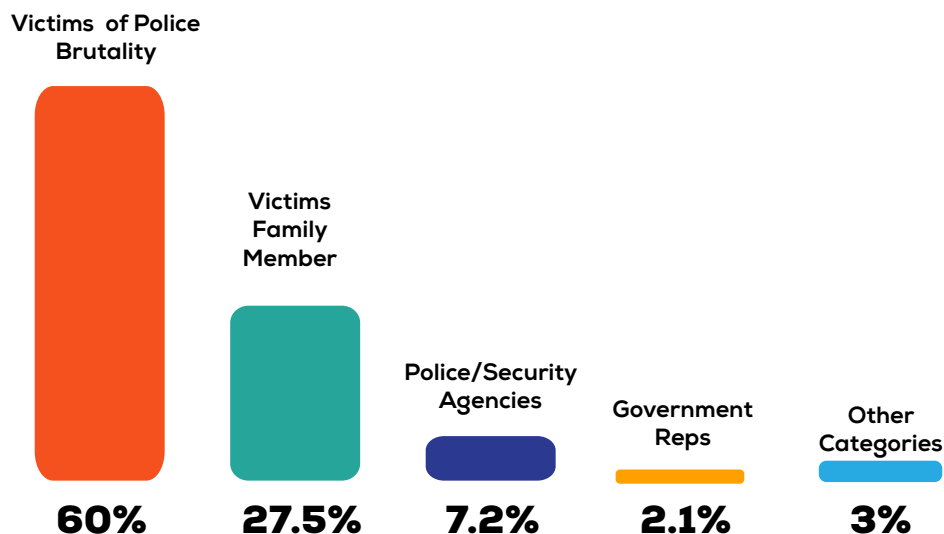


As the Panels sit and receive petitions, Yiaga Africa, Enough is Enough (EiE) Nigeria and other civic actors will continue to monitor proceedings at the Panels and follow through this process to provide information to citizens and promote accountability. Findings from the week under review include:

1 | Increase in the Number of Petitions Submitted across States: This week's observation of the panels show an increase in the number of petitions submitted. Data from the Panels show the following number of petitions submitted across the states: FCT - 250 petitions, Rivers State - 181 petitions, Anambra State - 260 petitions, Edo State - 140 petitions, Lagos State - 210 petitions, Imo State - 110 petitions, Abia State - 75 petitions, Akwa Ibom State - 159 petitions, Ekiti State - 81 petitions, Katsina State - 61 Petitions, Plateau State - 57 petitions, Cross River State - 60 petitions, Ogun State - 105 petitions, Oyo State - 50 petitions, Enugu State - 70 petitions, Benue - 51 petitions, Ondo State - 32 petitions, Osun State - 25 petitions, Bayelsa State - 40 petitions, Niger State - 18 petitions, Kwara State - 21 petitions, Nasarawa State - 37 petitions, Delta State - 78 petitions, Ebonyi State - 37 petitions, Taraba State - 11 petitions, Adamawa State - 5 petitions, Gombe State - 13 petitions, Bauchi State - 10 petitions.

Total Number of Petitions Received by States					
SN	State	No. of Petitions	SN	State	No. of Petitions
1	Anambra	260	15	Benue	51
2	FCT	250	16	Oyo	50
3	Lagos	210	17	Bayelsa	40
4	Rivers	181	18	Ebonyi	37
5	Akwa Ibom	159	19	Delta	78
6	Edo	140	20	Nasarawa	36
7	Imo	110	21	Ondo	32
8	Ogun	105	22	Osun	25
9	Ekiti	81	23	Niger	18
10	Abia	75	24	Kwara	16
11	Enugu	70	25	Gombe	13
12	Katsina	61	26	Taraba	11
13	Cross River	60	27	Bauchi	10
14	Plateau	57	28	Adamawa	5

2 | Victims Constitute 60% of Witnesses Approaching Panels of Inquiry for Justice across the States: Reports from the Yiaga Africa observers show that so far, 60% of witnesses that have made submissions are victims of police brutality; 27.5% are family members of victims of police brutality; 7.2% were police/security agencies; 2.1% were government representatives; while 3% fall into other categories. Yiaga Africa's findings also reveal that due to the volume of petitions received by the Panels in some states, hearings/sittings last between 1 hour and 10 hours.



3 | More Evidence Presented Across Panels of Inquiry: In Plateau State, a man presented himself showing some physical grievous bodily harm sustained from police brutality as evidence. Panel members and all observers could see through the man's pains and sufferings as he manoeuvred to get to the front of the Panel. Picture evidence of a dead man in handcuffs was also presented as evidence in Plateau. Other evidence presented across the states include;

- A CD containing video evidence of police brutality was presented at the Edo State Judicial Panel of Inquiry;
- A video confessional statement made by a petitioner's late father was presented in Delta State;
- 12 written pieces of evidence and 2 online newspaper publications were presented as evidence by petitioners in Rivers State;
- Victims with visible gunshot wounds and alleged but unseen internally broken bones occasioned by the police presented themselves as evidence in Enugu State. A transfer letter was also presented as evidence by the police in Enugu State to corroborate a story that places the accused police out of jurisdiction when police brutality was allegedly committed by the said policeman;
- Picture evidence of a deceased and written petitions to the Commissioner of Police and police Area Command were presented in Rivers State;
- A medical report from Lagos State Teaching Hospital, Ikeja (LASUTH) was presented in Lagos State;
- Picture evidence of a petitioner who was shot by police was presented;
- One X-ray report of a bullet wound, one medical report, two written documents, eight pictures and a two minutes video clip of a vandalized shop were presented by petitioners against the police in Taraba State;
- A medical report evidencing police brutality, copies of statements, copies of a court case documents and judgements as well as a remand warrant were presented in Akwa-Ibom State.

4 | Some Petitioners Seeking for Enforcement of Court Judgments: Based on reports from the observers and some interactions with youth representatives on the Panels, some petitions presented before the Panels include the demand from petitioners for the enforcement of judgments given by the Courts in favour of the Petitioner against the Police with damages awarded. These cases were presented because the Petitioners have not been able to get the judgements enforced, and in some cases, the judgements were over a year.

5 | Non-Compliance by Police Officers to Appear before the Panels: A worrisome trend observed across the majority of the Panels is the non-compliance by police officers to the invitations to respond to cases brought against them. This is causing a lot of delays in the Panels' work and becoming a major threat to justice for the victims and/or petitioners.

Yiaga Africa and Enough is Enough (EiE) Nigeria note and recommend the following:

- 1 Withdraw the Suit Filed by the Nigeria Police Force:** When the motion filed on 3rd December, 2020 to withdraw the police suit praying for an order to stop the state Judicial Panels is granted by the court, the Inspector General of Police should give an update to the Nigerian people on how such a lawsuit was filed without his knowledge and the disciplinary measures taken against the Legal Officer that filed the suit.
- 2 Compensation for Victims of Police Brutality:** States should immediately put the mechanism in place to work with the federal government to set up the fund to compensate victims of police brutality as will be recommended to the Governors after the proceedings. Yiaga Africa and EiE note the recent compensation provided by the Governor of Lagos State, Babajide Sanwo-Olu to the families of police officers allegedly killed in the aftermath of the #EndSARS protests. According to a tweet from the Twitter handle of the Lagos State Government (@followLASG), the families were handed a cheque of N10 million each and the children of the slain officers awarded scholarships by the government. While we await the recommendations of the Panels, it is curious to note that compensation has been provided for families of police officers without recourse to the Panels while the families of victims of police brutality have to go through a long & difficult process to access justice.
- 3 Compliance by the Police/Defunct SARS Officers to Panels' Invitation and Requests:** As noted in previous reports, the non-appearance by the Nigeria Police Force and the defunct Special Anti-Robbery Squads (SARS) in some states is a threat to the work of the Panels and an abuse of the process. We recommend that subpoenas be issued to respondents to ensure their appearance at the Panels of Inquiry. We also call on the Nigeria Police Force to ensure their officers are present to defend themselves before the panels. The Inspector-General of Police (IGP) has a duty to ensure officers comply as part of his commitment to police reform and justice for victims of police brutality. The non-compliance with invitations to the Panels should be interpreted as an admission of guilt and the continued silence by the IGP on this issue undermines the process and calls the government's intent to question.
- 4 Legal Representation to Support Victims:** Yiaga Africa and EiE commend the Nigeria Bar Association (NBA) in Kwara, Anambra, Ebonyi, Enugu, Ogun and Plateau states for committing to providing free legal representation to victims of police brutality. We hereby call on the NBA in other states and other respective institutions to kindly follow suit. This will be very helpful to them as they seek justice for the abuse experienced in the hands of officers of the law.

Signed

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