

# Weekly Updates on the #EndSARS Judicial Panels of Inquiry - No. 4

16th - 21st November 2020



With the establishment of State Judicial Panels of Inquiry in response to one of the demands of the #EndSARS protest, Yiaga Africa deployed monitors to the FCT and 27 of the 29 States with Panels currently established. While not all states have established Panels and some states are more active than others in sitting and responding to petitions, it is important the Government is seen to be sincere in its commitment to ensuring justice for victims of police brutality and extra-judicial killings through its actions and media engagements. Nigerians deserve a process that inspires confidence in the Government's commitment to justice for victims, thus dismissive statements and actions that seem to suppress the voice of citizens must not occur as they undermine the work of the Judicial Panels.

As the Panels sit and receive petitions, Yiaga Africa, Enough is Enough (EiE) Nigeria and other civic actors will continue to monitor the Panels and follow through this process to provide information to the people and promote accountability.

Reports from the Yiaga Africa monitors from their observation of the Judicial Panels of Inquiry revealed:

**1 Video Evidence Confirms Lekki Shootings as Panels Receive more Evidence:** On Saturday, 21st November 2020, a month after the shooting of peaceful protesters, video evidence presented at the Lagos Judicial Panel of Inquiry confirmed the presence of the military at the toll gate and the shooting of peaceful protesters. This was in addition to the samples of bullets used by the Nigerian Army presented in the previous week.

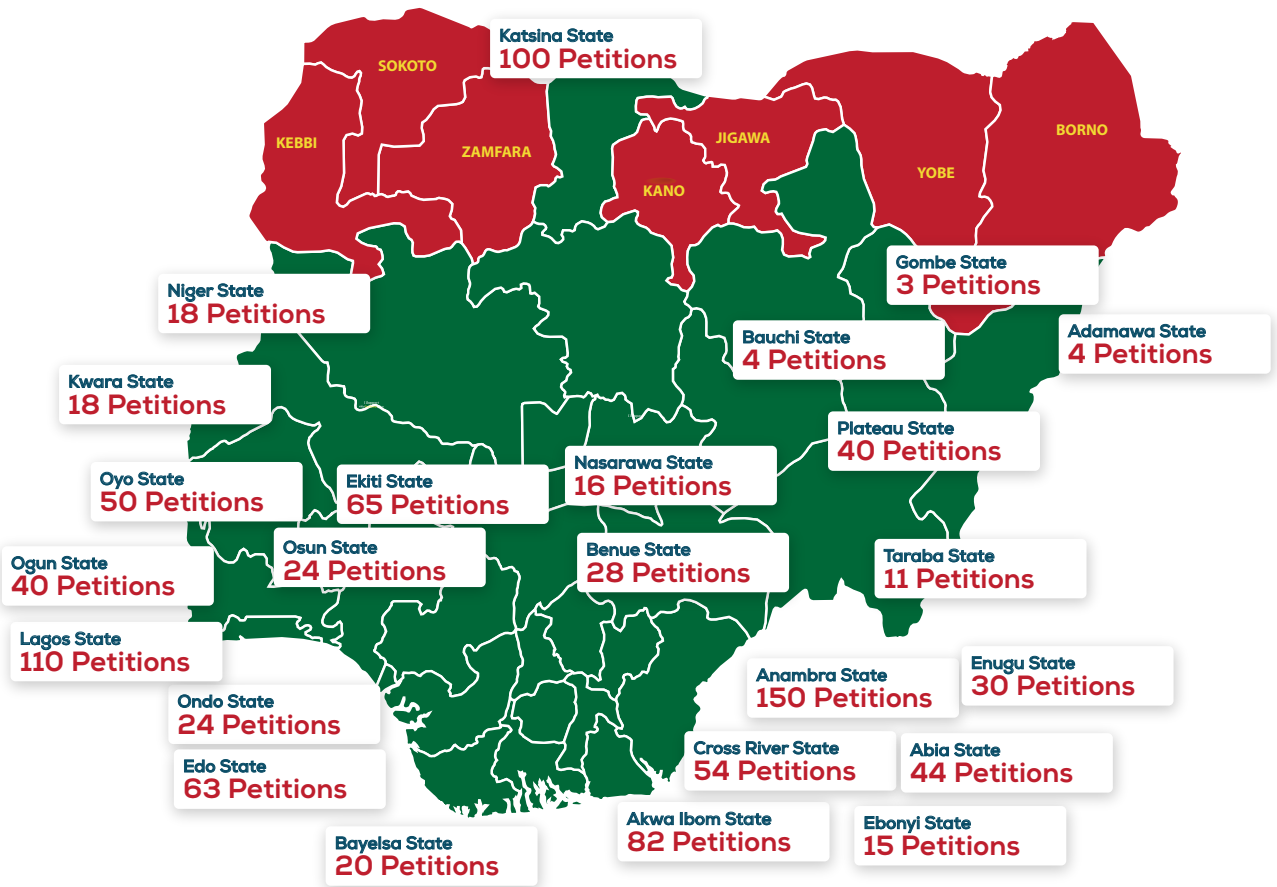
Other evidence presented before state panel's this week include:

- ▶ medical reports, pictures and death certificate of a victim shot by police officers presented by the victim's wife;
- ▶ pictures of the bodies of some victims of police brutality;
- ▶ photocopies of the hospital card of a victim after he was tortured by SARS officers;
- ▶ a victim showing scars from hot iron burns by SARS officers and another showing scars from hot iron burns and marks from a rope used to hang him in the air while being tortured by SARS officers;
- ▶ documents showing the list of detained people on a particular date;
- ▶ bail bonds and statements by victims submitted by the police;
- ▶ a photograph, video clip and funeral invite of a victim;
- ▶ photographs of SARS officers who brutalised their victims. One officer threw a victim from a two-storey building, causing him to lose the use of his legs. The victim gave his testimony in his wheelchair.
- ▶ letters/petitions to Commissioners of Police for harassment and threat to life by police officers;
- ▶ a book written by a victim chronicling his torture for 8 months in the hands of SARS officers presented by his son to the Panel because the victim went missing after the book was written and he was supposed to appear before the National Assembly to testify on his petition in 2014 when he went missing.

These amongst other evidence were presented in Lagos, Imo, Anambra, Abia, Ekiti, Niger, Adamawa, Akwa Ibom, Ogun, Ebonyi and Edo state judicial panels. This is in addition to the evidence presented to the Panels in the previous weeks (**See Weekly Updates on the #EndSARS Judicial Panels of Inquiry - Nos. 2 & 3**).

**2 Anambra State Leads on the Number of Petitions Submitted:** This week's observation of the panels show an increase in the number of petitions submitted. Data from the panels shows the following number of petitions submitted across the states: Anambra State - 150 petitions, Akwa Ibom - 82 petitions, Edo state - 63 petitions, Oyo State - 50 petitions,

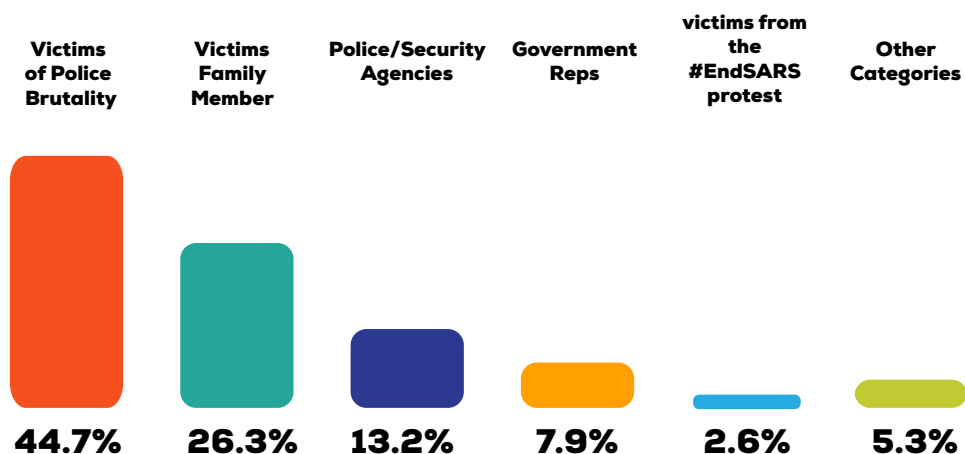
Cross River - 54 petitions, Abia State - 44 petitions, Plateau State - 40 petitions, Ondo State - 24 petitions, Osun State - 24 petitions, Niger State - 18 petitions, Kwara State - 18 petitions, Bayelsa State - 20 petitions, Katsina State - 100 petitions, Ebonyi State - 15 petitions, Gombe State - 3 petitions, Enugu State - 30 petitions, Benue - 28 petitions, Lagos - 110 petitions, Taraba State - 11 petitions, Nasarawa State - 16 petitions, Adamawa state - 4 petitions, Ekiti - 65 petitions.



### States without a Judicial Panel of Inquiry

3

**More Victims Approach the Panels for Justice:** Reports from the Yiaga Africa monitors shows that so far, 44.7% of witnesses that have made submissions are victims of police brutality; 26.3% are family members of victims of police brutality; 13.2% were police/security agencies; 7.9% were government representatives; 2.6% were victims from the #EndSARS protest while 5.3% fall into other categories. Yiaga Africa’s findings also reveal that 29.5% of the oral presentations of petitions by victims of police brutality before the Panel were by women and 34.6% of the oral presentations of petitions by youth.



**4**

**More Support offered to Victims of Police Brutality:** The chairman of the Kwara State Nigerian Bar Association (NBA), recognizing the challenges of some of the victims of police brutality, stated that a help desk for citizens has been created by the Kwara State NBA to provide victims with lawyers to represent them at the Panel and provide legal counsel at no cost. This is similar to the commitment of the Ogun State NBA to provide support to victims of police brutality. The Youth representatives on the Anambra Panel also called on the Anambra NBA to publicize the list of their human rights committee to provide support to victims of police brutality who cannot afford legal services.

**5**

**Judicial Panels of Inquiry Missing in Seven (7) States:** Five (5) weeks after the directive for the immediate establishment of state-based Judicial Panels of Inquiry across the country to receive and investigate complaints of police brutality or related extrajudicial killings, Borno, Jigawa, Kano, Kebbi, Sokoto, Yobe and the Zamfara States are yet to set up their panels.

**6**

**Media Presence at the Panels:** So far, media reporters were present to cover some days of the sitting of the Panels in Ekiti, Lagos, Ogun, Akwa Ibom, Cross River, Edo, Abia, Anambra, Ebonyi, Enugu, Imo, Kwara, Niger, Plateau and Adamawa States. For example, ARIS TV has periodically covered the Lagos Judicial Panel live.

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

**1**

**Compliance by the Police/Defunct SARS Officers to Panels Invitation:** The non-appearance by the Nigeria Police Force and the defunct Special Anti-Robbery Squads (SARS) in Anambra and Akwa Ibom States cast doubts on the panels' ability to secure justice for victims of police brutality. We recommend that subpoena 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.

**2**

**Inadequate Information on the Composition of the Judicial Panels of Inquiry:** Information on the composition of the Panels of Inquiry have remained shrouded in secrecy. There is little or no information about the members of the panels apart from their names. In Abia State, 5 new members were added to the panel, while in Anambra State, there have been allegations that political appointees to the Governor, William Obiano, are members of the Panel. We recommend that the Attorney General of each state should immediately release the names, profiles and disaggregated data on the membership of the established Panels.

**3**

**Independence of the Judicial Panels of Inquiry:** We note with concern the indefinite adjournment of the Judicial Panel of Inquiry in Anambra State over 'logistics' issues, on Tuesday November 17, 2020 which resulted in the inability of the Panel to sit on Thursday November 19, 2020 and this may affect the sitting of the Panel on Tuesday November 24, 2020. To avoid the challenge in Anambra, we call on both the Federal and State Government to provide adequate resources to the Panels to enable the Panels effectively carry out its assignment without interference from the other arms of government. This will ensure the independence of these Panels and build public trust in the process.

4

**Timely Commencement of Sitting and Delays in Responses to Petitions:** Reports from the monitors indicate that sittings do not start at the advertised time. Taking into consideration the duration of 6 months in which each panel is expected to conclude the hearing and submit reports and recommendations, we note that the frequent adjournment of cases may hamper the process of justice. Additionally, the delays in responding to petitions especially by counsels to the Police in Anambra and Cross River States contribute to further delays in conducting sittings and panel hearings. We recommend that the Panels provide the respondents with copies of the petitions in a timely manner to prevent further delays in responding to them. We call on the Panels to expedite hearings in order to ensure justice for the victims of police brutality.

Signed

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