

Weekly Updates on the #EndSARS Judicial Panels of Inquiry - No. 5

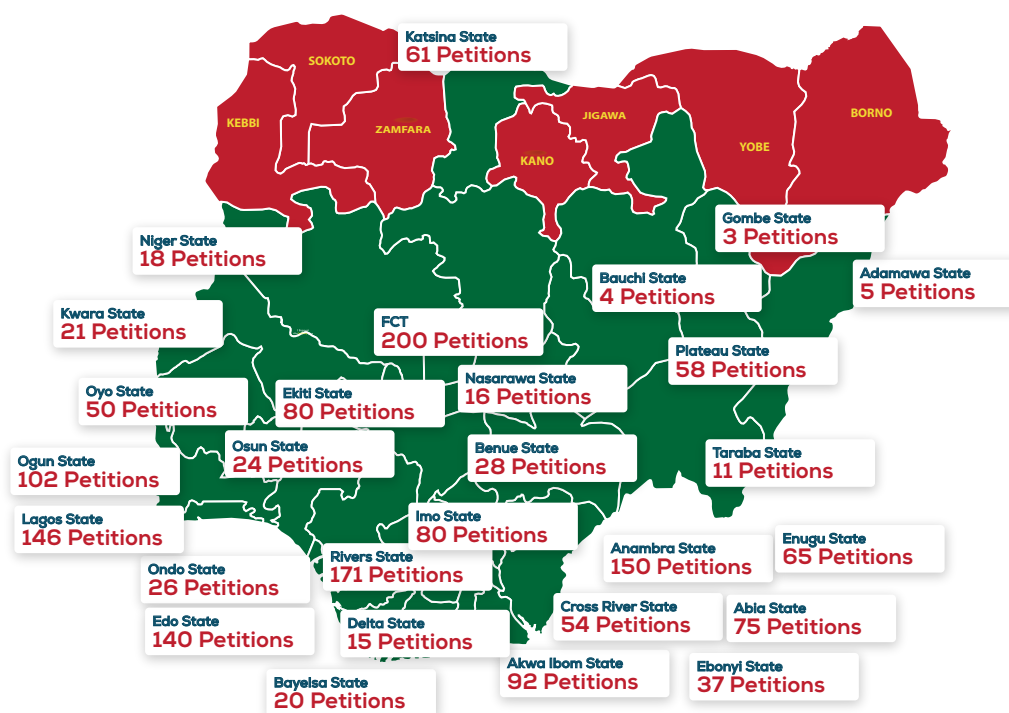
23rd - 29th November 2020



Over the course of the last 5 weeks, the Judicial Panels of Inquiry have revealed specific findings indicating a long history of police brutality in Nigeria that have left victims without justice and emboldened abusers in the Nigeria Police Force and other security agencies. Borno, Jigawa, Kano, Kebbi, Sokoto, Yobe and Zamfara States remain the only states yet to set up their Judicial Panels of Inquiry, as reported last week.

The Government has a responsibility to ensure that this process provides justice and yields tangible results by ensuring the full enforcement of the findings, decisions and recommendations of the Panels, providing adequate compensation to victims and truly ensuring critical police reforms. Yiaga Africa will continue to deploy independent observers to observe the proceedings of the Panels to provide information on the sittings. The independent observation seeks to ensure transparency, accountability and to provide information from the different states on the proceedings of the 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.

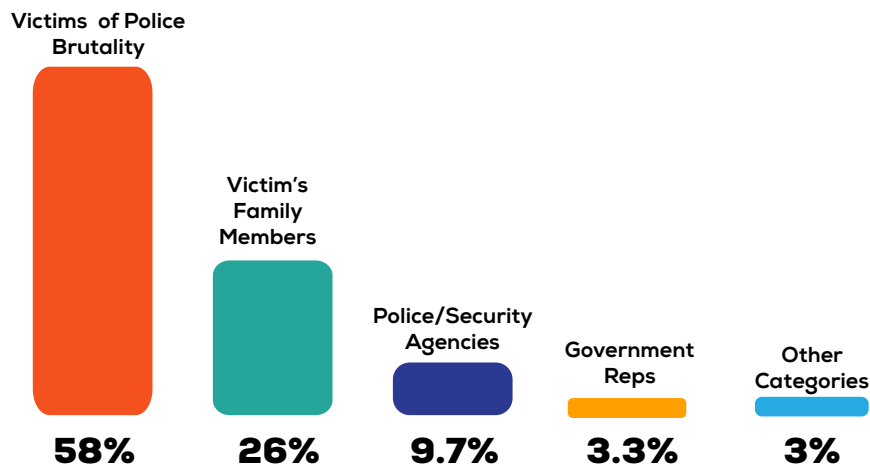


Number of Petitions Submitted to the Judicial Panels of Inquiry

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 - 200 petitions, Rivers State - 171 petitions, Anambra State - 150 petitions, Edo State - 140 petitions, Lagos - 146 petitions, Imo State - 80 petitions, Abia State - 75 petitions, Akwa Ibom State - 92 petitions, Ekiti - 80 petitions, Katsina State - 61 Petitions, Plateau State - 58 petitions, Cross River - 54 petitions, Ogun State - 102 petitions, Oyo State - 50 petitions, Enugu State - 65 petitions, Benue State - 28 petitions, Ondo State - 26 petitions, Osun State - 24 petitions, Bayelsa State - 20 petitions, Niger State - 18 petitions, Kwara State - 21 petitions, Nasarawa State - 16 petitions, Delta State - 15 Petitions, Ebonyi State - 37 petitions, Taraba State - 11 petitions, Adamawa state - 5 petitions, Gombe State - 3 petitions, Bauchi State - 4 petitions.

2

Victims Constitute 58% of Witnesses Approaching Panels of Inquiry for Justice Across the States: Reports from the Yiaga Africa monitors show that so far, 58% of witnesses that have made submissions are victims of police brutality; 26% are family members of victims of police brutality; 9.7% were police/security agencies; 3.3% 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/sitting last between 1 hour and 10 hours.



3

More Evidence Presented Across Panels of Inquiry: In Rivers State for instance, a stray bullet shot by a SARS officer that killed a 3-day old baby was presented. The stray bullet had landed into the house of the Petitioner piercing into the umbilical cord of his 3-day old baby which led to her death. Also in Rivers State, medical reports and pictures of a 14year old killed by stray bullets of SARS officers were presented. Other evidences presented to the Panels across the states include:

- Picture evidence of a bullet hole on the right shoulder of a petitioner;
- Picture evidence of a victim killed by SARS accompanied by an autopsy report and death certificate in Rivers State;
- Receipts of a petitioner's impounded car by the police, car ownership document and corroborating pictures of physical assault by the police and a medical report;
- A candy presented by a petitioner which he claimed SARS operatives had tagged as a "hard drug" and beaten him to stupor while collecting N350,000 from him;
- A letter of response from the Chief Medical Director (CMD) of Afe Babalola Multi System Hospital in Ekiti State;
- Pictures of a victim showing bullet holes on their back and a death certificate confirming death by gunshot in Nasarawa State;
- Pictures and affidavits of police brutality;
- Pictures of a victim killed as a result of police brutality;
- Hard evidences of bullets, cartridges and weapons used by police officers;
- A criminal charge sheet and picture evidences of police brutality;
- A victim's kidney damaged by a gunshot with pictures and supporting documents;
- Picture evidence of gun shot hole in the head, medical report from Reddington Hospital and a court ruling awarding the petitioner the sum of N500,000 as damages to be paid by police was presented in Lagos State;
- Pictures of scars from torture by SARS officers;
- Victim's gunshot wound;
- Court order demanding SARS officers to release the Complainant's cows; and
- Receipts of hospital payments and hospital registration cards by victims.

These were some of the evidence presented before the Panels in Enugu, Abia, Imo, Ebonyi, Lagos, Ekiti, Osun, Rivers, Akwa Ibom, Plateau, Benue, Nasarawa, Niger, and Katsina.

4 | Some support to the Victims of Police Brutality: The Nigerian Bar Association (NBA) in Ebonyi and Enugu committed to provide free legal representation for victims of police brutality. This is in addition to the commitment of the NBA in other states mentioned in previous reports (see Weekly Update No. 4). We encourage the National NBA to make this a standing order to provide free legal representation for victims of police brutality in all states.

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

- 1 Full Establishment and Commencement of Sittings in all States:** The failure to establish the #EndSARS Judicial Panels of Inquiry in Borno, Jigawa, Kano, Kebbi, Sokoto, Yobe and Zamfara States and the delay in the commencement of sittings in Bauchi, Bayelsa, Kaduna, Kogi, Ondo and Taraba States in spite of the directive from the National Economic Council (NEC) continue to undermine government's intent to ensure that citizens get justice from the illegal actions of police officers.
- 2 Cases Already Instituted in Court Cannot be Heard by the Judicial Panels:** Yiaga Africa and EiE note that matters that are currently before the courts cannot be heard by the Judicial Panels of Inquiry as witnessed in some states. This is because the act of the Judicial Panel entertaining such cases is objectionable and seen as interfering in an ongoing court process and the functions of the Court. While encouraging Petitioners to only present cases of police brutality to the Panels that are not in court, it is important to note that this is an indication of citizens losing faith in court processes that are so prolonged, that they fear they may never receive justice.
- 3 The Need for Extension of Time for Submission of Petitions:** Edo and Plateau State have closed receipt of petitions and from other states are set to close the receipt of petitions. Yiaga Africa and EiE calls on different states to give additional time to citizens to present their petitions to ensure more people are given the opportunity to seek justice for abuse suffered. In addition, we note that the lifespan of the panels require a thorough investigation and thereby also urge citizens to submit their petitions in a timely manner to allow for thorough investigation of all the petitions submitted in each state.
- 4 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.

Signed

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