

New Bottled Old Wine: Unmasking Irrelevancies Called IGP Ibrahim's "11-Point Police SARS Reform"

(Intersociety Nigeria: 16th August 2018)-We have continuously received a barrage of calls in the past 12 hours from concerned Nigerians including members of the Nigerian media regarding the announcement yesterday, 15th August 2018 by the Inspector General of Police, Alhaji Ibrahim Kpotum Idris of his so called "11-point reform" for the Special Anti Robbery Squad of the Nigeria Police Force. This follows a recent directive by Acting President, Prof Yemi Osinbajo for immediate overhaul of Police SARS in Nigeria as a measure to end atrocities arising from its activities. Most of the calls received by our leaders had sought for our informed position concerning the IGP's so called "11-point reform package for Nigeria Police SARS".

We respectfully wish to call on all Nigerians and members of the international community not to be deceived again over the so called "Police SARS reform" and insist on comprehensive reform not only for Police SARS but also the entire Nigeria Police Force including its present lopsided leadership composition. The IGP's "11-point reform" is too hasty and a fire brigade approach and can further be described as "11-point irrelevancies clothed in armchair syndrome" as well as "bottling and corking of old wine in new bottle".

Any comprehensive and acceptable Police or Police SARS reform in Nigeria must be that done by an independent committee of experts with their recommendations popularly evaluated and approved by the Federal Executive Council in addition to the governors' inputs. Such reforms may be backed by an Act of the National Assembly; to be done alongside domestication of relevant international human rights instruments such as Conventions Against Torture and Enforced Disappearances as well as criminalization of their prohibitions. To save costs and time, recent years' police reform documents done under the previous civilian administrations in the country should be re-assembled, reviewed and approved by FEC.

Specifically and as a matter of urgency, the name "SARS" should be scrapped permanently from the lexicon of the Nigeria Police Force and all operatives of Police SARS Department absolved into police colleges and in-service re-orientation courses or training programs within the Force for retraining and re-orientation. There shall be the return of new brand of ICT empowered and retrained plain clothes crime detectives and intelligence personnel to work hand in hand with existing operational and special police squads for the purpose of tackling cases of kidnapping and armed robbery in the country.

The only element worthy to be noted in the so called "Police SARS reform" pronouncement of the present central Government of Nigeria is the admission and acceptance by the same Government of responsibility for all the atrocities of Police SARS in Nigeria. Aside the culpability admission, the so called "11-point reform package" is a trash, sheer duplicity and escalation by scientific or other means, of the atrocities of Police SARS in Nigeria.

From our critical evaluation of the so called "11-point Police SARS reform", it has been indisputably discovered that none of the eleven measures is new because they have all been part and parcel of the atrocious Police SARS in particular and the entire Nigeria Police Force in general. For instance, Nigeria Police Federal SARS has always been headed by a Commissioner of Police; likewise SARS formations in the 36 States headed till date by CSPs or SPs. Collapsing all Police SARS formations into the Federal Police SARS is also nothing new because Police Force in Nigeria has always remained a federal agency. It even amounts to stripping the State Governors of their inputs and undermining their roles as CSOs especially when it comes to who to be appointed as commander of Police SARS in a State.

Medical and psychological evaluation of all Police SARS operatives announced as part of the “11-point reform package” are nothing new; likewise redesigning of new uniform and identity name tag. Disempowering Police SARS operatives from conducting stop and search duties, except on distress call to respond to armed robbery and kidnapping offences is the same thing as the latter; as the deadly operatives have always claimed or justified same using the cover of “receiving distress calls” or “suspicion of commission of armed robbery and kidnapping offenses”. Establishment of human rights desk or conducting trainings for the operatives in collaboration with rights CSOs is also not new and has been part and parcel of Nigeria Police SARS; without significant impact in reducing or taming their atrocious conducts.

Our critical evaluation has also found that in the ongoing administrative and operational activities of the Police SARS, mushroom rights CSOs or members of “Federal Government-CSO liaison” and activist-supporters of the central Government and its members at the National Assembly are indiscriminately and abusively used to legitimize the atrocities of the murderous police squads, to the extent that many, if not most top Police SARS officers and other top ranking police personnel are routinely given “merit awards” as “OCs/Torture”.

Using the National Human Rights Commission as presently constituted as a national platform to lodge and address industrial scale human rights violations and abuses by the Police SARS is totally unacceptable and nothing new in the so called “11-point Police SARS reform”. This is because NHRC as a key victim of the regime atrocities and “defection policy” of the present Federal Government can no longer be trusted and respected, especially when it has been mindlessly used by the authorities to cover atrocity or humanity crimes perpetrated by some personnel of the same Nigeria Police Force and those of the Nigerian Army against unarmed and defenseless Shiite Muslims in Kaduna State and pro Biafra activists in old Eastern Nigeria; leading to death of not less than 1600 citizens and physical impairment of over a thousand others.

Also there is nothing new in the announcement of a new standard operational guidelines and code of conduct for the so called “new Federal Police SARS”. This is nothing but a fire brigade approach; likewise promise of using the IGP’s X-squad (anti corruption/disciplinary) to monitor the conducts of Police SARS. Apart from the integrity of the IGP and his office being challenged on regular basis including unaddressed serious allegations of graft practices and raging cases of police corruption on Nigerian roads, the IGP’s X-squad only exists on paper. Cases abound where the same X-squad members are reported to routinely smile to bank with criminal proceeds arising from *roadblock return culture*.

Of the “eleven police reform blunders”, the worst of them is the decision to locate or attach the Police SARS to the office of the IGP and the Force Department in charge of Operations, presently headed by DIG-OPS, DIG Joshak Habila. It must be remembered that DIG Joshak Habila co-masterminded as Commissioner of Police, Abia State, the massacre of no fewer than 30 unarmed and defenseless pro Biafra activists on 9th February 2016 when the former gathered for prayers inside the premises of the National High School, Aba in Abia State. It is also a common knowledge that motley of squads attached to the office of the present IGP are hindered or encumbered by duplicity, armchair syndrome, institutionalized extortion, unprofessionalism and incompetence.

The announcement by the IGP of placement of Police SARS under federal police operations is incoherent and unprofessional which could lead to rising or escalated cases of *out-station atrocities* whereby arrested, uninvestigated and untried citizens can be arrested operationally, tortured or shot and killed operationally and dumped operationally in secret locations. This is more so when patterns and trends of the operational activities of the Nigerian security agencies especially since 2015 have been marred with incessant or indiscriminate arrest, torture, killing and dumping without traces, of Nigerian citizens in bushes and forests.

Instances include post Army Python Dance 11 discovery of eight lifeless bodies in September 2017 inside an Umuahia forest and 38 decayed bodies just discovered inside a forest in Asa-Ogwe in Ukwu West LGA; all of whom unarmed and defenseless pro Biafra activists and other innocent travelers in Abia State. The above instances just represent one of such glaring atrocities emanating from operational activities of the Nigerian security forces including the Police SARS. The 46 slain defenseless citizens were shot and killed by soldiers of 14 Brigade Ohafia, specifically drafted from 144 Battalion, Asa-Ogwe in Ukwu West LGA, near Aba in Abia State. They were all shot and killed at Isialangwa and Asa-Ogwe Military Checkpoints located along Umuahia-Aba-Port Harcourt Federal Road in Abia State.

In January 2013, Anambra Police SARS operatives dumped no fewer than 50 lifeless bodies inside Ezu River in Awka South LGA, Anambra State. Among them were those taken to the River alive at late night and shot dead. They were strongly believed to have been forced to carry their slain colleagues to the River, after which they were shot dead to erase traces. Police SARS operatives in Nigeria have also earned notoriety in converting minor infractions particularly civil disputes arising from inheritance, land, business, property, leadership, marital and faith matters as well as misdemeanors and other non capital offences into “offenses of kidnapping and armed robbery”; especially when procured by members of questionable rich class and political actors. The major motives behind the above are corruption or criminal enrichment and abuse of power or authority.

Finally, it is our firm position that any comprehensive and acceptable Police or Police SARS reform(s) in Nigeria must provide answers or critically and comprehensively address the following questions:

Why must torture especially physical impairment be used by Police SARS operatives and the NPF generally to extract confessional statements from custody suspects? Apart from torture and extra judicial or unlawful killings, are there no other measures of processing or questioning citizens suspected to be in conflict with capital offenses of armed robbery and kidnapping? Why must citizens arrested and detained in connection with the above named offenses be held without admin bail or court trial beyond constitutional limits of 60 days? Must investigations into all elements of crimes be concluded before arrested suspects are charged to court of competent jurisdiction? Are processes of charging investigated citizens in court of competent jurisdiction with conclusively investigated crime elements and right to file motion(s) for the amended charges on a later date for addition of those which investigations were concluded lastly no longer permissible or admissible in Nigeria’s criminal laws?

Others are: ***Why must detained suspects be indiscriminately denied access to good food and safe drinking water, ventilation and medical care as well as their lawyers, wives and other family members? Why must detained suspects be arraigned in magistrate courts that lack jurisdiction in trying armed robbery and kidnap offenses? Why must magistrate court remand orders be recklessly used to keep the suspects in unconstitutional long detention to swell the ranks of awaiting trial inmates in Nigeria?***

Also: Are there no time limits to criminal investigation in offenses of armed robbery and kidnapping in Nigeria? Why must magistrates and judges and the Nigerian Bar Association including defense lawyers participate or preside over trial or arraignment of citizens detained for three months, six months, one year, two years or more; or beyond the constitutional limits without court trial or administrative bail; contrary to Section 35(4) of the Constitution? How mentally skilled and ICT compliant are Police SARS operatives involved in crime intelligence, detection and investigation? What mechanisms are put in place by Nigeria Police High Command to facilitate periodic in-service and out-service training of Police SARS operatives in arts of crime detection, intelligence and investigation in Nigeria?

The rest are: Crimes have not only become sophisticated but also found their way into the moon, is the Nigeria Police Force not unstoppably matching back to the cave or using pre-computer age skills and tools to fight or control crimes of computer age in Nigeria? Key motives behind torture and unlawful killings by Police SARS in the country have been severally identified as corruption and abuse of power, how can these be checkmated? What is the fate of Nigeria's central crime lab or forensic department, moribund or obsolete? Are there plans by the Nigeria Police Force to engage several universities or expert policing intelligence and investigation bodies within the country or beyond its shores in resource borrowings and exchanges for the enhancement of its out-fashioned and archaic crime detection, intelligence and investigation system?

Also in the list of the fundamental questions to Nigerian Government are: Victimology is a branch of criminology and law dealing with welfare and other issues related to victims of crime, what is its policy or statutory direction in the so called Police SARS reform in Nigeria? The perpetrators of Police SARS atrocities in the country especially in the past three years have remained on the prowl and untouchable, what is their punitive fate in the so called "Police SARS reform"? Can Police SARS or entire Police reform in Nigeria be effective isolating domestication of important international human rights instruments such as UN Conventions Against Torture and Enforced Disappearances as well as criminalization of their prohibitions?

Signed

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