



NIGERIAN BAR ASSOCIATION

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“NO LAW ENFORCEMENT OFFICER HAS THE POWER TO ACT AS PROSECUTOR, JUDGE, AND EXECUTIONER”

The Nigerian Bar Association is disturbed by the viral video showing the extrajudicial killing of a suspect by police officers in Delta State, as well as the subsequent confirmation by the Police Public Relations Officer that those involved will be tried for murder. This is an arbitrary, unprovoked and misguided show of power by a law enforcement agent. Not only did the act clearly show that the policeman took the law into his hands but portrayed the Nigerian Police Force in a bad light. The sordid act once more put under the spotlight the unceasing allegations that law policemen routinely violate the rights of criminal suspects and even innocent persons.

The NBA unequivocally condemns this act. No officer of the law, regardless of rank or circumstance, has the right to act as prosecutor, judge, and executioner. The Constitution of the Federal Republic of Nigeria is clear that every person is presumed innocent until proven guilty by a court of competent jurisdiction. Regrettably, many law enforcement and executive functionaries fail to abide by the terms of the laws which set them up as well as regulate their actions, but this is not always the case. They continue to act in manner which must not be encouraged in all decent societies. Some of such actions are usually unconstitutional, illegal and unlawful infringement on the right of individuals. If such unlawful actions by the security agencies continue unchecked, fundamental rights of people may not amount to much in such a climate of impunity.

NATIONAL OFFICERS:

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No society should allow such action to go unpunished. The gravity of the offence captured in that video strikes at the very heart of our humanity, the rule of law, and the constitutional guarantees of the right to life and dignity of the human person. It is so worrisome that in this 21st century, a policeman will summarily execute an alleged robber in a devil-may-care attitude. More worrisome is the fact that the summary execution was carried out in full public glare in grave violation of laws regulating the treatment of a criminal suspect or alleged thief.

While we commend the Police for condemning and arresting the main perpetrator, but this is not enough. The viral video clearly shows that other policemen aided or were involved in this heinous act. The investigation, arrest and prosecution process must extend to any other officer may have counselled aided or abetted the extra-judicial killing as they all will be jointly liable for the heinous act. We therefore call for the immediate prosecution and trial of all officers involved in this heinous act. Any attempt to shield, delay, or dilute accountability in this matter will further erode public confidence in law enforcement institutions and will be firmly resisted by the Bar.

We demand that the prosecution be conducted with full transparency and urgency. The Nigerian people deserve to see that the law applies equally to all, including those entrusted with its enforcement. We hereby direct the Human Rights Committees of the NBA in Warri, Effurun and Udu in Delta State to continue to confront such matters as well as monitor the sequence of events to ensure that this matter is properly investigated and prosecuted. In furtherance of this, the NBA Human Rights Committee and Civil Liberties Committee are hereby directed to closely monitor allegations of violations of citizens rights in any other place, engage with relevant authorities, and take all necessary legal and institutional steps to ensure that justice is diligently pursued and ultimately served.

We reiterate our strong deprecation of this unsavoury conduct. It must stop. We must rise to ensure this and similar recklessness acts, stop. The bad policemen in the Force must be shown the way out to avoid giving it a bad name.

The NBA extends its heartfelt condolences to the family of the deceased. We share in their grief at this painful and avoidable loss, and we assure them that we will continue to press for accountability so that justice is done and the memory of their loved one is not diminished by impunity. This incident once again underscores the urgent need for comprehensive police reform, particularly in the areas of accountability, use of force, and respect for human rights.



Mazi Afam Osigwe, SAN
President

