

HOUSE COMMITTEE ON INTERIOR

**REPORT ON THE CRIMINAL ACT OF ASSAULT AND
BATTERY ALLEGEDLY VISITED UPON**

HONOURABLE MRAKPOR ONYEMACHI JOAN

BY

MEN AND OFFICERS OF THE NIGERIAN PRISONS SERVICE

**SUBMITTED TO
THE HOUSE OF REPRESENTATIVES**

DATED TUESDAY 26TH APRIL, 2016

1.0 **HON. MRAKPOR ONYEMACHI JOAN**

On Wednesday 20th of April 2016, Hon. Onyemachi was rushing out to meet up with church appointment and getting late, between the 1st and 2nd gate (Mopol gate) of NASS. Traffic was heavy and slow, she asked her driver to overtake the vehicles. At the exit point where there was a barrier, the driver attempted to make into the single lane and suddenly a prison officer came out and started banging on the vehicle demanding to know why the driver wanted to cut into C.G (NPS) convoy.

Hon. Onyemachi trying to understand what was going on saw another officer appear at the side of her vehicle and started banging. She then wound down her window to ascertain what was going on. Then the officer started to verbally abuse her and called her a prostitute. The officer went further to smack her and almost broke her glasses.

The Hon. Stepped out of the car and was confronted by a female police officer who stood between her and the prison officer.

1.1 **ORDERLY TO HONOURABLE - MR. LIKITA MUTUA**

In the orderly's testimony, he corroborated the Hon`s testimony. He further said that the Hon. told him not to come down and say anything. He further stated that one of the police officers that

came to them told him that he should have informed the Hon. how not to cut into a convoy.

1.2 **DRIVER TO THE MHR - MR. FRIDAY HASSAN**

The driver said he was on steering when the argument was going on. He did not come down but overheard madam saying "why did you hit me?" He did not know the number of people and vehicles on the convoy.

He also stated one of the officers attempted to open the door but has central lock in the car, it could not open.

2.0 **DPO - CSP NANCY ASA PONNA**

The DPO affirmed that she was not personally at the scene and there was no formal incidence report on the particular date. However, she got to know through the IGP and immediately commenced investigation.

On further inquiry from members, the DPO further stated;

1. She is not aware of any law prohibiting overtaking of convoy.
2. That the main duty of the Police is to ensure protection of life and property and to prevent a breakdown of law and order.

2.1 **WOMAN CORPORAL – ESTHER HASSAN**

According to her, she was inside the vehicle eating and now saw a lot of crowd and also saw convoy of Nigerian Prisons Service and saw one of them talking to the driver to one woman.

There was heavy traffic to and fro then. She now heard "why are you trying to break into convoy?" As she went to take pure water, she saw a woman coming from her vehicle in anger.

At this juncture, the Chairman asked the woman corporal to identify the woman that was in anger that day and she pointed at the Honourable.

Furthermore, she said she tried to step in between the prison officer and the Honourable member.

2.2 **WOMAN SERGEANT – JANE PHILIP**

She said she was inside her security post and then she heard someone say "Don't you know this is a convoy?"

Some officers came to say "Why are you behaving like this, this is a convoy".

The prison's officials were hitting the vehicle and she now saw the Honourable member removing her glass to now say "you hit me on my eyes".

The sergeant woman stated that she saw the official's hand on the Honourable's face and she heard the Honourable asking the officer why he hit her on her face.

2.3 **SERGEANT ABIODUN MARTINS**

He saw prison's officials convoy coming and a black Hilux vehicle , he heard argument and two officers came out and there was an argument, he turned back to clear the road when he heard Madam saying; "Why are you putting your hand on my face".

2.4 **SUNDAY AKOH**

He said he heard argument between the Nigerian Prison's Service officials and the driver asked; "Why are you blocking convoy?"

3.0 **DSS – MOHD ALFA IDRIS**

The Deputy Director, Mohammed Alfa Idris said contrary to their practice, there was no incidence report on that day, he however introduced the officer on duty to explain more.

3.1 **DSS – ADEBAYO I.O**

In his testimony, the information came to the service during a weekly meeting.

He saw a long vehicle convoy (green) and now Hilux Tundra coming on a high speed. All the security personnel at the gate were angry.

All of us came out to stop the speeding vehicle, without plate number.

Prisons official came out and we talked to the police orderly and complained that he ought to have alerted the Honourable member on the role of convoy.

I saw the two women police coming out to step in between the Honourable member and the Prison's officials.

4.0 **SERGEANT AT ARMS – MR DENNIS MA'AJI**

An Assistant Director, representing Sergeant-At-Arms Office the Head He stated that he was not aware but was alerted about the incidence when it was discussed at the plenary.

4.1 **SERGEANT-AT-ARMS – CHIKE IGBO**

Mr Chike Igbo said he had been at the gate for two (2) years. On that day, there was commotion at the gate.

There was argument between the Nigerian Prison's Service official and the Honourable Member, he said he did not see the slapping but confirmed that he saw the Nigerian Prison service

officer pointing his finger menacingly towards the face of the Honourable member.

He further confirmed that he saw the Nigerian Prisons official's hand inside the vehicle.

5.0 **CG – NIGERIAN PRISONS SERVICE – P.E. EKPENDU**

The CG in his submission said that on Wednesday 20th April 2016 after attending an official duty at the National Assembly Committee on Public Petitions and on reaching his house the following day, his attention was drawn by print and electronic media, to what had happened the previous day.

He said having learnt of the incidence, he sees the whole thing as unfortunate and the attitude displayed most unethical and barbaric and it has never happened to him. He said he has commenced action immediately.

He had since queried all the officers concerned and have all responded. And by the time they concluded investigation, appropriate punishment will be meted.

He stated the vehicles involved were six (6). He stated that as at the time the incidence occurred, his officer's car, Pilot Car and back up has since left.

He told the Committee that in the press statement he issued nowhere did he say it was a lie but that some papers misrepresent his statements.

He said on hearing of the incidence, when he called his officers for briefing, they said there was a little incidence.

5.1 **NIGERIA PRISONS SERVICE – ACG HABU GUMEL**

According to Ja’afar Ahmed ACG, he accompanied the CG to the Public Petitions Committee. We returned about 4:00pm. The CG has left but my car was immediately behind him and Security officers asked the car of the Honourable to stop and came out of the car but later went back to my car. I did not instruct anybody to talk to her.

5.2 **ACG HABU GUMEL**

According to him, he didn’t talk to the Honourable and later one of his colleagues went to her vehicle but he did not know what transpired.

5.3 **NIGERIA PRISONS SERVICE – DCG SHEHU USMAN KANGIWA**

Under cross examination of the CG Nigeria Prisons Service, ACG Ahmed Ja’afar and ACG the Committee established that DCG Shehu Usman Kangiwa was among the CG entourage on that

fateful day and was conspicuously absent at the hearing and the Committee was not particularly happy with the reason advanced for his non-appearance, when told that he went on food ration supervision in some states.

The Committee established DCG Shehu Usman Kangiwa actually came out to banged the Honourable car and therefore tactfully shielded from appearing before the Committee.

5.4 **NIGERIA PRISONS SERVICE – OSUOGWUGWU S.**

According to him, he was one of the escorts in the Hilux and did not come down from the car. He saw one of Nigeria Prisons Service officer talking to her.

5.5 **NIGERIA PRISONS SERVICE SENIOR INSPECTOR PRISONS – IDAA .O. ODEH**

According to him, they left at about 4:00-5:00pm and he was on escort. We saw a Tundra Hilux tainted in a speed and was trying to overtake, he noticed the security officers talking to her. According to him, he did not leave the vehicle he was in. He noted that the security personnel around the incidence point were to be twenty (20) in number and he was at the extreme.

He maintained that he didn't slap the Honourable even when Mr. Chike at Sergeant-At-Arms and Sergeant Police Jane Philip were categorical in saying that they saw the person pointing finger.

6.0 **SUMMARY OF FACTS**

- ❖ From all the statements by the witnesses, there is evidence that there was an altercation between the Honourable and the prison officer.
- ❖ Even though the prison officer, Idaa Odeh maintained that he never stepped out of the vehicle throughout this averment goes to his lack of credibility giving the overwhelming evidence by other witnesses at the hearing (see Hon. Onyemachi Mrakpor, Sergeant Jane Philip, Chike Igbo, E.O.J Abiodun Martins, Hon. member's driver and the orderly).
- ❖ The CG Prisons Service had left the scene before the incidence happened and the Incidence was not brought to his attention until the following day.
- ❖ The CG Prisons Service immediately took steps on hearing the incidence by querying the officers, apologizing on behalf of the Service and its officers.
- ❖ Committee established that DCG Shehu Usman Kangiwa, was in the entourage and was the one that banged the Honourable's car but refused to appear before the Committee.

7.0 **OBSERVATIONS**

- We observed that there was gross negligence by the security Staff posted to the National Assembly in the course of the incidence.

- The Sergeant-At-Arms office that is saddled with the responsibility of providing internal security to the NASS is incompetent and derelict in the service of the security needs of members and staff of the NASS.

1.0 **RECOMMENDATION**

1. From the testimonies of 6 (six) credible witnesses it is established beyond reasonable doubt that: SIP Idaa Odeh with service number 40258 assaulted Hon. Onyemachi Mrakpor and is therefore guilty of an offence under Section 16 (sixteen) of the Legislative Power and Privileges Act.
 - (i) SIP Idaa Odeh with service number 40258 should be arrested and tried in accordance with Section 16 of Legislative Houses (Power and privileges) Act.
 - (ii) He should be dismissed from the service with immediate effect.
2. Corporal Esther Hassan, ASP Sunday Akoh of the Nigerian Police and Adeboye I. O. of Department of State Service should be disciplined and immediately reprimanded and redeployed.
3. Training and re-training of all resident security agencies in the National Assembly is needed.
4. The Legislative Houses (Power and privileges) Act should be amended as a matter of urgency to the effect that only the

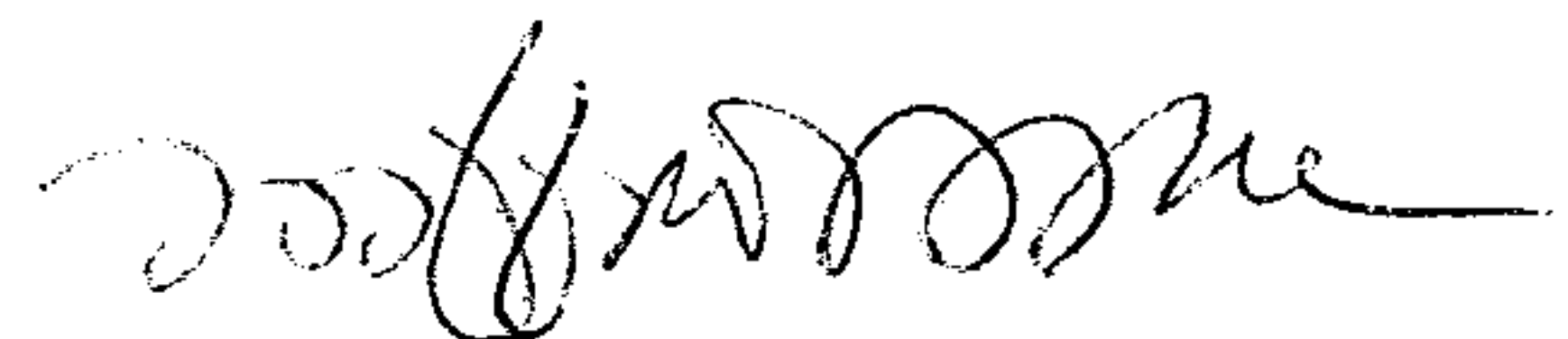
President, Vice President and Chief Justice of Nigeria (CJN) or a visiting President can come into the premises of National Assembly with moderate convoy and penalties should be provided for offenders.

5. A complete overhaul of the office of Sergeant-At-Arms is urgently needed.
6. All the security personnel serving currently, at the National Assembly gates including Sergeant-At-Arms staff should be redeployed.
7. The ACG Budget and Finance who came down from his vehicle and confronted the Honourable is culpable order the Legislative (Powers and Privileges) Act and should therefore be disciplined.
8. The Committee on Legislative Compliance should ensure strict compliance with all the recommendations within 2 (two) weeks.
9. For refusal to appear before the Committee DCG Usman Shehu Kangiwa Service Number 28446 is guilty of Section 11 (eleven) of Legislative Houses (Powers and Privileges) Act. And for obstructing a Member of Parliament within the precincts of the National Assembly, he is guilty of Section of 16 of Legislative Houses (Powers and Privileges) Act.

- (i) He should be arrested and tried in accordance with Section 11 and 16 of Legislative Houses (Powers and Privileges) Act.
- (ii) He should be demoted from the rank lower than ACG.



Hon. Jagaba Adams Jagaba
Committee Chairman



Farouk Yakubu
Committee Clerk