

**REPORT OF THE INVESTIGATIVE
PANEL INTO THE ALLEGED
INCIDENCES OF CHILD
PROSTITUTION, SODOMY
AND FORCED ABORTION AT
THE MAIDUGURI MAXIMUM
SECURITY PRISON**

SUBMITTED TO

***HIS EXCELLENCY,
THE EXECUTIVE GOVERNOR
OF BORNO STATE
HON. KASHIM SHETTIMA***

APRIL 2019

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INCIDENCES OF CHILD PROSTITUTION, SODOMY AND FORCED
ABORTION AT THE MAIDUGURI MAXIMUM SECURITY PRISON.**

1. **PREAMBLE:**

Sequel to a report by the Sahara Reporters of alleged incidences of Child Prostitution, Sodomy and Forced Abortion at the Maiduguri Maximum Security Prison, the Executive Governor of Borno State Honourable Kashim Shettima had on the 21st of March 2019 constituted an Investigative Panel to look into the allegations and make appropriate recommendations to government based on its findings.

2. **MEMBERSHIP OF THE INVESTIGATIVE PANEL**

The Panel has Barr. Kaka Shehu Lawan, Attorney General and Commissioner for Justice as Chairman while Dr. Hauwa Mai Musa, Permanent Secretary, Ministry of Women Affairs and Social Development as Member/Secretary. Other members include:

- i. DCP Yomi Oladimeji - Representative of the Commissioner of Police, Borno State Command
- ii. Mallam Nafiu Tukur Bello -Representative of the DSS Borno State
- iii. DCP Ahmed Bojube - Representative of the Comptroller Nigeria Prison Service Borno State Command
- iv. Barr. (Mrs.) Jummai Usman Mshelia - State Coordinator National Human Rights Commission Borno State
- v. Mallam Abubakar Abdullahi Tabra - Representative of National Agency for the Prohibition of Trafficking in Persons (NAPTIP)

- vi. Barr. Muhammad Umaru - Nigerian Bar Association Chairman
Maiduguri Branch
- vii. Barr. Amina Mustapha Ibrahim - Chairperson
International Federation of Women
Lawyers (FIDA)

3. INAUGURATION OF THE PANEL

The Panel was inaugurated on the 25th of March 2019 at 11:00 a.m. by His Excellency, the Executive Governor of Borno State Hon. Kashim Shettima who during the occasion charged members to investigate the allegations thoroughly so as to justify the confidence reposed in them by the Government and the people of Borno State. The Panel was further mandated to co-opt any person or persons that can assist in carrying out its task.

The Panel co-opted the following persons to assist in carrying out the assignment.-

- i. Hajja Adama B. Umar Director Political Affairs - Governor's Office
- ii. Alh. Mohammed Hamza Director Admin & Supply - MWASD
- iii. Barr. Bukar Malgwi Umar DDPP - Ministry of Justice
- iv. Barr. Ardo Buba Secretary NBA - Maiduguri Branch
- v. ASP Ado Buba - Nigeria Police Force
- vi. Insp. Elijah Linus - Nigeria Police Force
- vii. Insp. Alhassan Ado - Nigeria Police Force
- viii. Sgt. Cosmos Giwa, - Nigeria Police Force
- ix. Haruna Sabo - DSS
- x. Ibrahim Bello - DSS
- xi. Kennedy D. Simon - DSS

The Panel has initially one week to submit its report. However, in view of the obstacle encountered by the Panel, His Excellency graciously extended the time frame to three weeks for the completion of the assignment.

4. **TERMS OF REFERENCE OF THE PANEL**

- i. To meet with officials of the Maiduguri Maximum Security Prison and if necessary some of the Inmates and investigate the allegations of child prostitution, sodomy and forced abortion in the said prison.
- ii. To identify those involved in the commission of the alleged crimes.
- iii. To discreetly identify the victims with maximum caution to protect their identities.
- iv. To verify the involvement or otherwise of officials charged with the responsibility of taking care of the Inmates.
- v. To recommend ways and means of preventing the re-occurrence of such crimes in the future.
- vi. To make necessary recommendations to relevant authorities on appropriate disciplinary measures to be taken against any officer or person found guilty.
- vii. To identify and make recommendation on any other matter which in the opinion of the Committee will enhance the protection of the human rights of the Inmates and prevent them from abuses.

5. **MODUS OPERANDI**

The Investigative Panel held its inaugural meeting immediately after its inauguration by the Executive Governor of Borno State Hon. Kashim Shettima on Monday 25th March 2019, and adopted the following as modus operandi of the Panel.

- i. Seek audience with the State Comptroller of Prisons
 - ii. Visit the Maiduguri Maximum Security Prison
 - iii. Interview Victims, and identify persons allegedly mentioned in the report as well as Prison officials.
 - iv. Interface with all other persons mentioned in the report.
6. **VISIT TO NIGERIAN PRISON SERVICE HEADQUARTERS
MAIDUGURI**

The Panel immediately set out to visit and seek audience with the State Comptroller of Prisons at its Headquarters in Maiduguri, on Tuesday 26th March 2019, at about 10:30 a.m.

While at the Prison Headquarters Maiduguri, members of the Investigative Panel informed the State Comptroller the reasons for the visit, and that members were in his Office to seek for permission to visit the Maiduguri Maximum Security Prison in order to perform its assignment given by the Executive Governor of Borno State.

It was categorically made clear to the State Comptroller of Prisons that the State Government was not in any way accusing the Prison Command, but that Government was only interested in finding out the truth about the allegations.

Responding, the State Comptroller of Prison, stated that he could not grant the Committee access to the facility without proper clearance from the Comptroller-General (CG) Prisons. Furthermore, he informed the panel that the CG has dispatched an intelligence unit, to investigate the matter. He also disclosed the withdrawal of DCP Ahmed BOJUBE from the panel.

He further informed the Panel that he had constituted himself into a one man panel to equally investigate the matter.

Consequently, the Investigative Panel wrote a letter on 29th March 2019 to the Comptroller-General of Prisons and copied the State Comptroller requesting for permission to have access to the Maiduguri Maximum Prison.

Although the letter was officially acknowledged by the Prison authority at Abuja there was however no response or feedback from them on the request of the Panel.

A similar letter was also written to the Comptroller-General of Prisons by the State Representative of the Human Rights Commission, who is also a member of the Panel, reiterating the need to allow the Panel to gain access to the Maiduguri Maximum Security Prison, but no response was given.

The Panel was therefore compelled to write a reminder to the Comptroller-General of Prisons on 4th April 2019. The letter of reminder was similarly acknowledged by the Office of the Comptroller-General of Prisons on the 5th of April 2019, but was not responded to by the Prison high command.

Find attached copies of the letters written to the Comptroller-General of Prisons as annexures A, B and C while the minutes of meeting of the Panel is annexure D.

7. **FINDING**

The committee could not access the Prison and interview those involved hence, the investigation was terminated. Therefore, the veracity or otherwise of the claims could not be ascertained.

RECOMMENDATIONS

As a fall out of the above efforts made by the Panel and the lack of cooperation by the Prison authority. It is recommended that :-

- i. The Borno State Government should take up the matter with the Federal Government immediately.

- ii. An independent body be set up by the Federal Government in consultation with Borno State Government to carry out the investigation with a view to ascertain the true position of the matter, and clear the doubt already created in the minds of the general public.
- iii. Civil Society Organisation (CSOs) be encouraged to carryout in-depth investigation in line with their core mandate.
- iv. The Ministry of Interior as the Supervising Ministry of the Nigerian Prison Services should be impressed upon to investigate the alleged activities at the Maiduguri Maximum Security Prison.
- v. The office of the Chief Justice of Borno State should direct judges on prison visit to take particular note of such alleged ugly incidences and make appropriate recommendation to Government.

8. **CONCLUSION**

In conclusion, It is necessary to re-iterate the fact that, though the Investigative Panel was not allowed to carry out its assignment by the Prison authorities, however the Panel wish to express its profound gratitude and appreciation to His Excellency, the Executive Governor of Borno State, Hon. Kashim Shettima, for finding the members worthy to serve on this important Panel. Members are still willing to complete the assignment whenever the opportunity arises.

SIGNATURE

1. Barr. Kaka Shehu Lawan,
Attorney-General/Hon. Commissioner
for Justice

- Chairman 

2. DCP Yomi Oladimeji
Representative of the Commissioner
of Police, Borno State Command

- Member 

3. Mallam Nafiu Tukur Bello
Representative of the DSS
Borno State

- Member 

4. Barr. (Mrs.) Jummai Usman Mshelia
State Coordinator
National Human Rights Commission
Borno State

- Member 

5. Mallam Abubakar Abdullahi Tabra
Representative of National Agency
for the Prohibition of Traffic in Persons
(NAPTIP)

- Member 

6. Barr. Muhammad Umaru
Chairman Nigerian Bar Association
Maiduguri Branch

- Member 

7. Barr. Amina Mustapha Ibrahim
Chairperson
International Federation of
Women Lawyers (FIDA)

-Member 

8. Dr. Hauwa Mai Musa,
Permanent Secretary,
Ministry of Women Affairs
and Social Development

- Secretary 