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Extra-judicial Killing: Court Orders Police to Pay N25m Compensation

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Symbol of justice

Anayo Okolie

A Lagos High Court sitting at Ikeja has ordered the Police Force (NPF) to pay N25 million as compensation to the family of late Femi Michael Ilesanmi, who was allegedly killed in the custody of the State Special Anti-Robbery Squad (SARS), Ikeja, Lagos.

The family of the deceased had in 2013 instituted a suit against the police, their officers and an Oodua Peoples' Congress (OPC) member when they could not determine their son's whereabouts.

But in a recent judgment in the suit, Justice Atinuke Ipaye held that the deceased's death in police custody was a breach of his fundamental right as guaranteed by Section 33 of the 1999 Constitution as amended.

Apart from paying N25m to the family of the deceased as compensation, the court also ordered the police to release the corpse of Femi Ilesanmi to his family. According to Justice Ipaye, "I hereby declare that the death in police custody of Femi Michael Ilesanmi on June 25, 2013 is a breach of his

fundamental right to life as guaranteed by section 33 of the 1999 Constitution of the Federal Republic of Nigeria.

“It is hereby ordered that the 1st to 3rd respondents jointly and severally take all necessary and immediate steps to release the corpse of Femi Michael Ilesanmi to his family members forthwith.

“I hereby declare that the 1st to 3rd respondents jointly and severally breached the fundamental right to life of the now deceased applicant, Femi Michael Ilesanmi.

“An order be and is hereby made that the Nigeria Police Force bears ultimate responsibility for the actions of the 1st to 3rd respondents and is to pay twenty five million Naira to the family of Femi Michael Ilesanmi as compensation for his death whilst in custody of the Nigerian Police,” the judgment ordered.

The first to the third respondents in the suit were: the Lagos State Commissioner of Police, the Officer in Charge of Lagos State Special Anti-Robbery Squad, and the Divisional Police Officer, Abattoir Police Station, Oko-Oba, Orile Agege while the fourth respondent was an OPC member, Mr. Wasiu Elemere, who arrested and handed over the suspect to the police.

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