

POLITY

From Senate Comes a Relief for Gunshot Victims

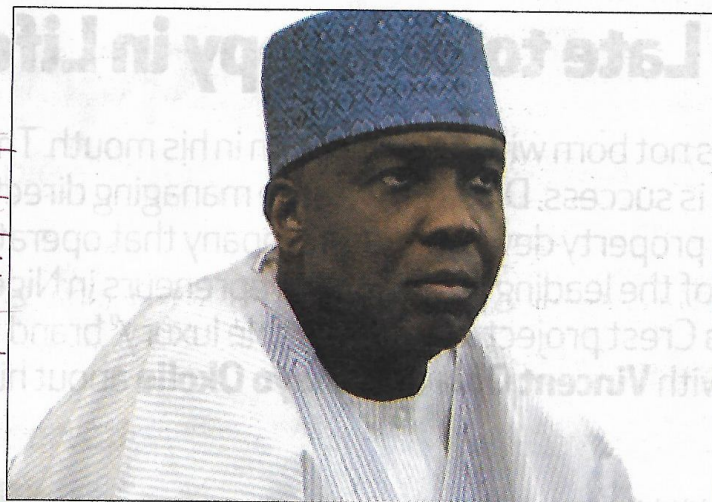
Olu Onemola

At the end of 2008, there was a tragic story in the newspapers about a young 8-year old boy that died from a single gunshot wound that could have been treated. The story was about a bank robbery that happened in Lagos, which culminated in the death of eight civilians. However, the death of the eighth casualty, the young boy — who was hit by a stray bullet — could have been easily avoided. This is because when the child was rushed to a nearby hospital by passersby, the staff of the hospital refused to treat him without a police report. Needless to say, in the time that it took for the police report to be requested for, written out, and transported back to the hospital, the 8-year old boy bled to death.

Issues like the aforementioned story are rampant. We hear about them everyday; read about them in the news; and watch news reports about victims that could have been saved.

However, based on current legal practices, many lives have been lost. This is why, this week, the Senate fast-tracked the passage of the Compulsory Treatment and Care of Victims of Gunshots Bill. The Bill, which was sent to the Senate for concurrence by House of Representatives, seeks to ensure that all victims of gunshot wounds receive necessary treatment from medical workers and assistance from security agencies.

The Senate President, Dr. Abubakar Bukola Saraki, was right when he stated after the passage of the Bill, that with the Compulsory Treatment and Care of Victims of Gunshots Bill, the Senate has moved to



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ensure that everyone is entitled to medical treatment — irrespective of the cause of the shooting. This is because so many lives have been lost in the absence of this law.

As things stand, innocent victims who have been shot by robbers, must first be rushed to a police station to secure a police report, before they are rushed to the hospital for treatment. This situation, creates victims of people who would otherwise be survival. This is because having a system in place that forces both the good and the bad people who have been shot to first request police reports before going to the hospital, makes the innocent people among them victims of

circumstance (i.e. robberies, or stray bullets); victims of the hospitals, who refuse to treat gunshot victims without police reports; victims of the police, who oftentimes do not process these requests in a speedy manner; and victims of Nigeria's current laws that make police reports mandatory for both law-abiding citizens and criminals alike.

By the passage of the Gunshot Victims Act, the Senate has moved Nigeria one step forward to saving tens of thousands of lives each year. This law has addressed several inadequacies — like ensuring that society has a burden placed on it to ensure that there will be no unnecessary loss of lives.

Moving forward, based on certain provisions of the new law, every person including security agents must render every possible assistance to any person with gunshot wounds. This assistance includes ensuring that the person that has been shot is taken to the nearest hospital for treatment.

Additionally, the Bill preserves the fundamental rights of gunshot victims mandating that no person with a bullet wound shall be subjected to inhuman or degrading treatment and that no person with a gunshot wound shall be refused immediate and adequate treatment by a hospital in Nigeria — whether or not an initial deposit has been paid or not.

Finally, the Bill takes the approach of several nations, that have a 'treat first, ask questions later' mindset. This is because it specifies that it shall be the duty of any hospital that receives any person with a gunshot wound to report the situation to the nearest police station. This amendment puts the horse back in front of the cart, because saving lives must always come before due process.

Moving forward, Nigerians must commend the National Assembly for the passage of this Bill, and urge that it is signed into law by the Acting President. Top of this, the Presidency and the Executive arm must properly orient officers and men of security agencies to comply with the dictates of this law. Doing this, will show the world that we have society that values the lives of our citizens, more than we value the 'perception of adherence' to the rule of law.

I rest my case.

— Onemola is a Legislative Aide to the Senate President