

19th May, 2010

The Inspector General of Police,
Louis Edet House,
Shehu Shagari Way,
FCT, Abuja.

Dear Sir,

HARASSMENT AND INTIMIDATION OF MR. DAUD' AKINLOYE BY MEN OF THE
MONITORING UNIT OF THE NIGERIAN POLICE FORCE, OSUN STATE

This is to lodge a formal complaint against the men of the Nigeria police in the Monitoring Unit, Osogbo, Osun State as regards the orchestrated intimidation of counsel representing the Action Congress in election petitions pending before the Election Petition Tribunal sitting in Osogbo, Osun State. Of particular importance in this regard is the recent case of Mr. Daud' Akinloye.

Mr. Akinloye is counsel in the law firm of M. A. Banire and Associates who, in the lawful execution of his duties, was detailed to handle the election petition recently filed for Hon. Najeem Salam challenging the results of the re-run election held in February, 2010 in Ejigbo Local Government, Osun State. In furtherance of this instruction, Mr. Akinloye applied to the Independent National Electoral Commission (INEC) for certified true copies of the documents used for the said election in order to properly prepare the petition. Unfortunately, the said application was not attended to by the relevant INEC officials until after the filing of the petition before the Election Petition Tribunal, Holding at Osogbo. Mr. Akinloye had to apply again in writing for the second time before the required certified true copies of the electoral materials were released by the relevant INEC officials.

It was after the release of the Certified True Copies of the purported Register that the INEC woke up from her slumber and, acting out a diabolical script jointly prepared with the PDP men in Osun State, INEC officials started crying foul that the purported register of voters was stolen. Based on this evil allegation, some officials of INEC and our client in the new petition before the Tribunal, Hon. Najeem Salam, were arrested by the Police. With the active connivance of Mr. Olalekan Ijiyode, the Magistrate before whom Hon. Salam and others were arraigned, the accused persons were kept in detention for more than two weeks. The Magistrate achieved this by demanding that a formal bail application be filed and the matter was adjourned and re-adjourned on different occasions.

It is worthy to note that the offence of stealing with which the said accused persons were arraigned is ordinarily bailable even without a legal practitioner representing the accused persons. However, having fought for and secured the release of the accused persons, the police in Osun have turned their attention to the counsel prosecuting the matter for the opposition Action Congress in Osun State.

Sir, we make bold to say that the invitation of Daud' Akinloye of counsel is an attempt to incarcerate him for an offence which his client was alleged to have committed. It is the lawful duty of any legal practitioner representing his/her client to properly advance the case of his client based on the facts and evidence produced by the client. Having arrested Hon. Najeem Salam in respect of the offence to which he made unequivocal statement to the police that he was the one who gave the document to his lawyer and not vice versa, we do not understand the approach of the men of the Police Monitoring Unit, Osogbo, in this whole case.

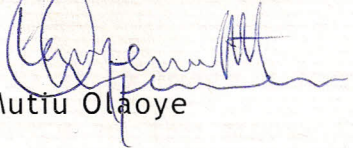
Therefore, the purported fact-finding invitation by the police to Mr. Akinloye, a legal practitioner, in respect of a client he is representing is not only an attempt to punish him for carrying out his lawful

constitutional responsibilities but also to stultify the attainment of justice in the prosecution of his client's interest in the petition pending before the Tribunal. It is on record that the certified true copies of the electoral materials were duly paid for by Mr. Akinloye before same were released to him by INEC.

We shall appreciate your expedient intervention to resist the attempt to arrest and detain our counsel in the performance of his lawful duties.

Yours faithfully,

M. A. BANIRE & ASSOCIATES



Mutiu Oloaoye

cc: Commissioner of Police

Osun State Police Headquarters

Osogbo, Osun State.

M.A.B &
ASSOCIATES