



# NIGERIAN BAR ASSOCIATION

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## THE RESUMPTION OF ENFORCEMENT OF THE POLICE UNLAWFUL TINTED GLASS PERMIT POLICY IS A GRAVE AFFRONT TO THE MAJESTY OF THE COURT AND A SUBVERSION OF THE RULE OF LAW

A press release dated 15th December 2025, issued by the Force Public Relations Officer, CSP Benjamin Hundeyin, announcing the reactivation of the enforcement of the suspended tinted glass permit policy with effect from 2nd January 2026, has once again confirmed the sad reality that the Nigeria Police Force, despite being the foremost law enforcement agency in Nigeria, continues to exhibit a troubling disregard for the rule of law and the due process it is constitutionally mandated to uphold. The press release not only amounts to executive recklessness but also portrays the Nigeria Police Force and its leadership as lacking in respect for the court, the rule of law, and due process of law.

A recap of the events leading up to this moment will provide context for our position. In April 2025, the Inspector General of Police purportedly introduced a policy mandating that citizens annually obtain motor vehicle tinted glass permits through an online platform ([possap.gov.ng](http://possap.gov.ng)), with enforcement initially scheduled to begin June 1, 2025, and later postponed to October 2. Reports of harassment, extortion, and civil rights violations, particularly against young people, became widespread.

On September 2, 2025, the Nigerian Bar Association, through its Section on Public Interest and Development Law (NBA-SPIDEL), instituted an action before the Federal High Court, Abuja, in Suit No: FHC/ABJ/CS/1821/2025 between Incorporated Trustees of the Nigerian Bar Association v. Inspector General of Police & Anor, challenging the legality of the Tinted Glass Permit Policy. The suit questioned, among other things, the lack of constitutional or statutory authority vested in the Nigeria Police Force to levy fees or impose financial obligations on citizens under the guise of enforcing the policy. In challenging the legality and constitutionality of the policy because the NBA contends that the policy is **unconstitutional, obnoxious, illegal, extortionate, and a threat to citizens' rights and economic well-being**, the NBA thus contends in the suit that:

- a. The Motor Tinted Glass (Prohibition) Act of 1991, under which the policy is premised, is a military-era decree that no longer meets the

### NATIONAL OFFICERS:

Mazi Afam Josiah Osigwe, SAN - President

Dr. Mobolaji Ojibara - General Secretary; Sebastine Anyia - 1st Vice-President; Mrs. Bolatumi Olasunbo Animashaun - 2nd Vice President; Zainab Aminu Garba - 3rd Vice-President; Blessing Imo Udofa-Poromon - Treasurer; Nyada Auta - Welfare Secretary; Bridget Ijeoma Edokwe - Publicity Secretary; Henry Barnabas Ehi - Assistant General Secretary; Ebieri Emmanuella Ekpese - Assistant Publicity Secretary

democratic thresholds of justification under Section 45 and other relevant sections of the 1999 Constitution;

- b. The National Assembly does not have the legislative competence to enact the law; therefore, the same cannot rightly be deemed a law properly made by the National Assembly.
- c. The enforcement of the unlawful policy will initiate disorder and extortion, given the Nigeria Police's long and sordid history of extortion, bribery, harassment, intimidation, and extra-judicial killings.
- d. The policy is a brazen revenue-generating drive by the Nigeria Police Force, which by law is not a revenue-generating organisation. This is particularly worrisome as the fees are paid into the account of a private company.
- e. The imposed levy for obtaining and renewal of the permit adds to Nigeria's ever-increasing layers of taxation, thereby portraying Nigeria as a difficult place to do business. The levy imposed financial burden and hardship on Nigerians struggling with economic hardship.
- f. The permit policy undermines Nigeria's tax reforms, which will come into effect in January 2026, in that it will add to the multiplicity of taxes and taxing agencies in Nigeria, as well as the high corporate tax burden on businesses.
- g. Nigeria imports cars from abroad, and modern vehicles come with factory-fitted tinted glasses, yet the Police discountenance this in the drive to generate revenue for themselves and a few individuals.
- h. The payment proceeds into a private bank account (PARKWAY PROJECTS, Account No: 4001017918) instead of the Treasury Single Account raises serious concerns of transparency and corruption.
- i. The policy brazenly nullifies already issued permits, and the purported requirement for renewal of the permits has no legal basis.

The court processes were duly served on the Defendants, including the Inspector General of Police, who briefed a Senior Advocate of Nigeria, Chief Ayotunde Ogunleye, SAN, to represent them in the suit. Meanwhile, on 3rd October 2025, the Federal High Court, Warri Division, issued an order directing parties to maintain the status quo in Suit No: FHC/WR/CS/103/2025 between John Aikpokpo-Martins v. Inspector General of Police, thereby restraining the

Police from enforcing the policy pending the determination of a Motion for Interlocutory Injunction.

Following this order and the public outrage that trailed the attempted continuation of enforcement in clear disobedience to the court, the Inspector General of Police convened a meeting involving members of the Police Management Team, including the IGP, Deputy Inspectors General of Police, AIG Legal, their counsel Chief Ayotunde Ogunleye, SAN, and representatives of the NBA, including myself, Abdul Mohammed, SAN, Olukunle Edun, SAN, Paul Daudu, SAN, and Mr. John Aikpokpo-Martins, among others.

The NBA held a high-level engagement with the Inspector General of Police, where it was agreed that the enforcement of the policy will be immediately suspended to await the outcome of the matters in court and that the Police will direct its officers to cease and desist from further enforcement of the policy. The IGP subsequently suspended enforcement of the policy pending court pronouncement, as well ordered that police would cease the enforcement of the policy.

Suit No: FHC/ABJ/CS/1821/2025 came up for hearing on Friday, 12th December 2025, before Hon. Justice M. S. Liman of the Federal High Court, Abuja. During proceedings, Chief Ayotunde Ogunleye, SAN, informed the Court of the agreement reached between the NBA and the IGP suspending enforcement of the policy. On the strength of that representation, which the Court accepted as a solemn assurance, the Motion for Interlocutory Injunction was struck out.

It is therefore deeply disturbing that barely one working day after the Court relied on the undertaking of the Defendants' counsel, a contradictory statement emerged from the Nigeria Police Force announcing a reactivation of enforcement. This volte-face represents a reckless overreach, a contemptuous disregard for the authority of the Court, and a serious assault on institutional integrity. It portrays the Nigerian Police Force as having scant regard for the rule of law and as a body insistent on imposing financial hardship on Nigerians for the financial gains of private business owners/interests.

The NBA notes that Suit No: FHC/ABJ/CS/1821/2025 has been fully heard and judgment reserved. The Inspector General of Police has a constitutional obligation to respect the judicial process and refrain from any action capable of pre-empting or undermining the Court's decision.

Accordingly, the Nigerian Bar Association calls on the Inspector General of Police to immediately withdraw the statement issued by CSP Benjamin Hundeyin and halt all attempts to reactivate enforcement of the tinted glass permit policy pending the final determination of all related court actions.

Furthermore, in defence of the rights of Nigerians, the NBA hereby directs all NBA Branches and the NBA Human Rights Committee to immediately intervene and provide legal representation to any Nigerian who is harassed, arrested, whose movement is impeded, whose vehicle is impounded, or who is prosecuted by the Police on account of the alleged violation of this unlawful tinted glass permit policy. The NBA will not allow citizens to be subjected to intimidation or abuse under a policy currently before the courts.

Should the Inspector General of Police fail or refuse to heed this lawful admonition, the Nigerian Bar Association will commence committal proceedings against the Inspector General of Police, Kayode Egbetokun, and the Force Public Relations Officer, CSP Benjamin Hundeyin, until they purge themselves of contempt. Appropriate professional proceedings will also be initiated against any counsel found to have misled the Court.

The statement made in open court by Chief Ayotunde Ogunleye, SAN, constituted a judicial undertaking binding on the Defendants. Any contrary executive action amounts to overreaching the Court and undermines the rule of law, as firmly settled by the Supreme Court in *Governor of Lagos State v. Ojukwu* (1986) 1 NWLR (Pt. 18) 621.

The Nigerian Bar Association sincerely hopes that the Nigeria Police Force will retrace its steps, respect the authority of the courts, and align its conduct with constitutional democracy and the rule of law. We also call on President Bola Ahmed Tinubu to call the Inspector General of Police and the Nigeria Police Force to order, as the planned resumption of the policy will not only amount to a slap on the face of the court but also impose unjustified financial hardship on them.



**MAZI AFAM OSIGWE, SAN**

**PRESIDENT**