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**TOPIC: THE NIGERIAN POLICE: AN EVALUATION OF ITS
EFFICIENCY**

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TITLE PAGE

THE NIGERIAN POLICE: AN EVALUATION OF ITS EFFICIENCY

DEDICATION

To for and because of Victoria Emeka, you are more than just a woman

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PREFACE

The Nigerian Police Force is the institution solely responsible for the enforcement of all laws and regulations with which they are directly charged; this term paper is amend at X-raying the Nigeria police force and examining its efficacy in the administrations of it duties.

In view of the Nigeria Police Force (N.P.F) as being the focal point of this term paper, we shall review its origin, functions and its power to enforce the law. Most important among these functions of the police is to provide the needed security of lives and properties and mange the crime rate prevalent in the country.

This term has be broken down categorically into five (5) broad chapters.

TABLE OF CONTENT

TITLE PAGE	i
DEDICATION	ii
ACKNOWLEDGEMENT	iii
PREFACE	iv
TABLE OF CONTENT	v
 CHAPTER ONE:	
1.1 INTRODUCTION THE CONCEPT OF POLICE POWER	1
1.2 BRIEF HISTORY OF THE NIGERIA POLICE	2
 CHAPTER TWO:	
2.1 FUNCTIONS OF THE NIGERIAN POLICE	5
 CHAPTER THREE:	
3.1 PROBLEMS OF THE NIGERIAN POLICE FORCE	10
 CHAPTER FOUR:	
4.1 ABUSE OF POLICE POWER IN NIGERIA	11
 CHAPTER FIVE:	
5.1 RECOMMENDATIONS	14
5.2 CONCLUSION	15
REFERENCE	

CHAPTER ONE

1.1 Introduction: The Concept Police Power.

The concept police power involves various interpretations depending on the angle one looks at it. The term is sometimes used loosely in the political discussion. In some other times it may be given specific meaning. In the light of the dictionary meaning, the term police powers connotes the sum total of legal authority or right possessed by that department of the state which concerns itself primarily with the keeping of public order, public peace, enforcement of criminal laws and similar functions in order and security. This duty according to Nweke (2004:94) is the basis upon which other functions of the police are founded.

In Nigeria, the Act empowering the police provides for the general duties of the police while sections 23,24,28,28 and 30 P.A and section 10 of the Criminal Procedure Act confer on the police their various powers and authority. In respect of law enforcement, the police is charged with the enforcement of “all law and regulation, with which they are directly charged, Nwoke (2004:129). These laws with which the police are directly charged with their enforcement are not defined. It appears that these laws are mainly criminal law.

Criminal laws are those laws and offences, which are contained in the Criminal and Penal Codes of Nigeria. The police are therefore directly charged with the enforcement of all criminal laws. There are other species of laws, which are within the range of those to be enforced by the Nigerian police. An example of these is civil laws such as those predicated on breach of contract and tortuous abilities. The police cannot enforce the law that is entirely civil in its facts. E.g. if the facts of a case are that Mr. A bought a Honda car saloon car from Mr. B. he paid half and is expected to balance up in a months time but eventually defaulted in payment. The police cannot enforce the obligation disclosed by the facts of this case, because the transaction between A and B is purely contractual.

1.2 BRIEF HISTORY OF THE NIGERIAN POLICE

The Nigeria Police Force is a creation of the British colonial administration the British consul posted to the colony of Lagos by the imperial British government was charged with the administration of the colony as well as the maintenance of peace, law and order in the area. Two principal laws creating the present Nigeria Police Force, these

are the constitution of the Federal Republic of Nigeria, 1999 and the Police Act section 214 of the constitution provides.

The 1999 Nigerian constitution provided specially that only the federal government could make laws affecting the Nigeria Police Force. Against this backdrop therefore, any law made by a state government of the federation, which purports to affect the Nigeria police force in any form, is null and void for being inconsistent with the provision of the constitution.

The 1999 constitution also provides also that “the members of the Nigeria Police Force shall have such powers and duties as may be conferred upon them by law”

Going back to 1914 Northern and Southern protectorate were amalgamated to form one entity called Nigeria. After the amalgamation the Northern and Southern police force, which were in operation at the time were allowed to exist separately. But on April 1, 1930 the two police forces were merged to form the present Nigeria police force with its headquarters in Lagos, the unified police force was commanded by an inspector, general of police. In 1937, the overall commander of the Nigeria police was again, designated commissioner of police. After the introduction of the Macpherson

constitution in 1951, the designation of “inspector General of police” was reverted to for the overall commander of the police force, while the officers in charge the contingent of the police stationed in the regions assumed the title of commissioner of police. At this point in time, the nature and authority of the police forces were allowed to exist side by side with the Nigeria police. But in 1968, the native authority police system was abolished with the creation of new states in Nigeria police state commander have also increased.

CHAPTER TWO

2.1 FUNCTIONS OF THE NIGERIA POLICE

The Police Act and the criminal procedure Act/ code give police officers enormous powers. It is important to note that these Acts by no means exchange the powers of the police. Police power and authority in Nigeria according Nwabueze (1982:47) can also be found in other Acts, laws, bye laws regulation etc. the basic functions of the Nigerian police force as highlighted by Nweke (2004:94) are as follows:

- i) Prevention and detection of crime
- ii) Apprehension of offenders
- iii) Protection of life and property
- iv) Enforcement of all laws and regulations with which they are directly changed.
- v) Performances of military duties within and without (outside) Nigeria as may be required of them.

The above duties are statutory duties imposed on the members of the Nigeria Police Force. The performance of these duties is obligatory or mandatory. Thus any member of the force who fails,

refuses or neglects to perform any of these duties could be legally responsible for his actions.

These underlining duties are self-explanatory and therefore do not require further emphasis. However, in addition to the function highlighted above the Nigeria Police Force is also responsible for.

- Providing “script services” to people organizations like banks and other financial institutions transferring large amount of money from one particular geographic location to another.
- Ensure constant surveillance in banks and offices housing sensitive equipment, including residential house of notable public personality such as a promenading politician or a judge.

In effect the Nigerian Police Force do not direct their attention solely to crime detection and control. According Igbo (1999:124), there are several areas where they expend much of their energy and expertise which are crucial purposes of crime control. Therefore the NPF adopt some strategic measures in poised towards managing the rate of crime incident to the barest minimal level. The strategic includes:

- 1) *Fool and motorized patrols*: police officers employ this strategy in high-risk areas to guard specific points or junctions and offices. It is

- also known as the *beat patrol system*. It increases the possibilities of apprehending criminals within the vicinity and reduce criminal activities within the area.
- 2) *Public education and enlightenment*: A number of experts in the field of crime detection and criminology argue that in some instances victims, either directly or indirectly, instigates the processes that lead to their victimization. Using the mass media e.g. television, radio newspapers and so on, the police informs the people on how they can reduce the chance of them being victimized. Also, safety precautions are introduced to make up part of the enlighten process.
 - 3) *Public checkpoints*: Towards the end of the Nigeria civil war in 1970 the country experienced ruthless and dangerous robbery attacks and other criminal activities. As a result of this the Nigeria police adopt the strategy of mounting checkpoints or road block at strategic places on the highways because the resulting effect of the civil war saw to it that the highways were unsafe for the travelers.
 - 4) *Curfew*: Curfew restricts the movement of people for certain hours of the night; usually at 9p.m and 6a.m, while the police patrols are on duty. The police are empowered to apprehend and charge to court violators of curfew stipulated time.

- 5) *Private mailbag*. This strategy arose as result of the need for people to be able to make reports to the police, without necessarily traveling to the station. Person(s) with useful information that will aid police investigation on a particular case is provided full protection based on anonymity.

Other powers entrusted on the Nigerian Police Force.

a) Power to detain

The police power to detain suspects in the provisions of other laws like section 35(4) CFRN 1999 “Any person who is greeted or detained in accordance with subsection (c) of this section shall be brought before a court of law within a reasonable time” the police power to detain suspects can also be deduced from the powers of the police to arrest person(s) who had committed a crime, suspected to have committed crimes, about to commit a criminal offence or one who is in any way connected with the commission of a crime

- b) Power to take finger prints** by virtue of section 30 (1) of the Police Act which states that “it shall be lawful for any police officer to take record for the purpose of identification the measurement, photograph and finger print impressions of all persons who may from time to

thing be in lawful custody. The purpose of this exercise is for. The future identification of the suspect.

- c) **Power to conduct prosecution** to prosecute an individual means to commence legal proceedings against such a person. It is important to point out the police power to conduct prosecution is not limited to any criminal offence or to any court. The police prosecutor is empowered to conduct it in respects of any criminal offence and in any court of law, be in maportrates court, high court etc.
- d) Power to search. This is the responsibility which the Nigerian police force assumes to scan and analyze by way of searching the privies of a crime, search the suspects for useful in formation and possible evidence to and investigations.
- e) Power to make arrest. Making arrest is the statutory duty of the where to apprehend person(s) who hence committed, suspected to have committed or about to commit a crime. These criminal offences are mode up of
 - a) Those the pole can arrest without a warrant
 - b) Those they cannot arrest without a warrant section to C.P.A and section 24 P.A gives the police officers power to arrest certain category of offenders without warrant of arrest

CHAPTER THREE

1.3 Problems of the Nigerian Police Force

The Nigeria police force like among their institutions is be devilled by a number of set back and problems which hamper the efficacy of the operation as stipulated by the law establishing it as a body. According to Igbo (1999:128) some these problems are as follows.

- Poor funding of the police system by the federal government.
- Undue intimidation of members of the public by police officers
- Poor public image and perception of the Nigerian police force.
- Shortage of staff
- Corruption
- Inadequate equipment
- Bad of public reputation

CHAPTER FOUR

4.1 ABUSE OF POLICE POWER IN NIGERIA

Abuse of police power in Nigerian arises when a police officer use his power in a way he ought not to and outside the provisions of the law establishing it.

In this case a police officer has acted in excess of his power it is also abuse of power in Nigeria if a police officer about to act or refrains from acting where he has duty to act.

Below are some of the causes of abuse of police power in Nigeria

Abuse in satisfaction of the power that be: The police is a servant of all, by this we that the police is a servant of all the arm s of government, the legislative, the executive and the judiciary. Each of these arms of government makes use of the police at varying degrees to maintain peace and security, but at some point in time it has been detected that these members of Nigeria's higher offices use the police to manipulate the society for their own personal interest.

The way and manner in which these organs use and manipulate the power of the Nigerian police is largely dependent on the personality disposition of the individual that occupy the hierarchy of these organs.

Abuse for self-interest: In most cases police officers in Nigeria abuse their office for their own personal self-satisfaction. At present corruption in Nigeria is the bane of the police force. It is also important to state that every aspect of police service in Nigeria is bought by money. For selfish aggrandizement, some police officers especially within junior cadre abuse of police and mis-manage police processes to suit themselves.

Abuse in self-pride: Another factor, which contributes to the cause of abuse in the Nigerian police, is the desire to exhibit power and authority by some police officers.

Some police officers want to impress it upon the public that they are the masters and not the servants. They are oblivious of the fact that the essence of the police system is to serve the people and not terrorize them.

Abuse in ignorance of law: Some police officers especially of the junior especially officers are ignorant of their scope of power and authority. To them their scope of power is limitless. This category of Policemen can brutalize, detain members of the public indefinitely and even confiscate their property.

Abuse of the use of force: Some police officers in Nigeria tend to use excessive or unnecessary force on a suspect sought to be arrested. For instance a suspected offender tells a constable who is sent to arrest him

merely by word of mouth that he will not follow him to the police station and does nothing more than the verbal refusal to follow the constable. But instead of the constable to drag or attempt to drag to suspect he pulls out his baton and batters the suspect to a state of unconsciousness.

CHAPTER FIVE

5.1 Recommendations

A number of things can be done to improve the state of the Nigeria police force to ensure that the organ regains the trust of the people in serve them effectively, because most member s of the public look at the NPF with scorn, distrust and suspision. Part of the corrective measure includes:

- ❖ Improvement of their salary structure: so that the members of the police force will not be moved to commit to bribery.
- ❖ Orientation and seminar: by organizing educative programmers for police officers, they will become more aware of the value, importance and sensitivity of the office in which they hold.
- ❖ Adequate financing and provision of more sophisticated equipments to better carry out their duties in protecting the lives in properties of the people.
- ❖ Regular service training programs to improve operation of the Nigerian police force

5.2 Conclusion

Lack of trust in the police often leads to a resolve not to cooperate with them and sometimes to the lynching of suspects by angry mobs. “the Nigerian police regulations, which create the police command structure specifically provides that they any created for the purpose of command and administration”, Igbo (1999:170).

However, in recent times the operation of the Nigerian polices force has portray a high level of corruption within the system. Corruption is a major cause of abuse of polices power in Nigeria. But in taking about corruption, it is objective to state that members of the N.P.F are not special specie of humans. They are products of a corrupt society.

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