MEMORANDUM

TO THE

PRESIDENTIAL PANEL ON REFORM IN NIGERIA

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Introduction:

This year makes it seventy-six years since the Nigeria Police Force was established by the British Colonial government in 1930. Within this period the NPF has developed tremendously in size, structure and responsibility. It has also distinguished itself in several international assignments, particularly in peace keeping and peace enforcement. However, in spite of the successes it has recorded over the years and the efforts of its successive indigenous leadership to transform the organization from its colonial past to an institution that could be reckoned with in the protection of life and property of the Nigerian people, its public image and performance in service delivery functions and accountability to the community still leaves much to desired.

A number of factors have been identified for the less than tidy public image and performance of the police. These include inadequate funding, military incursion in the governance process of our country, poor condition of service, welfare and logistics. Understanding these factors and dealing with them will go a long way in addressing efficiency and effectiveness deficits in the Nigeria Police Force. However, they would not by themselves alone solve the problem. There will still be the need to constantly review laws, polices, procedures, practices and organizational culture that impede police optimal performance and accountability. The focus of this memorandum is therefore on these salient issues that do not make headlines in the newspapers but are nonetheless very germane in changing organizational behaviors that impede progress. This presentation draws heavily from CLEEN Foundation’s studies and pilot projects on the police and policing reform in Nigeria in the last eights and will be summarized under six subheads.

1. Insulation of Police Leadership from Partisan Political Control

If there is one issue this committee should take more seriously than others in instilling professionalism and integrity in the Nigeria Police force, that issue is the need to insulate the leadership of the police from partisan political control, which has denied Nigeria credible elections, caused mayhem in various parts of the country and has made it difficult for the police to conclusively investigate crimes that have political undertones. There is no democratic country in the world today where you would find in its statute books a provision like Section 9(4) of our Police Act which vests operational control of the police to the President rather than the Chief of Police. What obtains in other jurisdictions is policy control of the police by political authorities while operational control is retained by the Chief of police who is a professional in the field. Provisions like section 9(4) of the Police Act are a great affront to the need for professionalism in the police as they lay the police bare for possible manipulations by a president who is power drunk.

We recommend that the position of Inspector General of Police should be tenured. By that we mean that once appointed, there should be a definite term of office for the IGP as you have among members of national commissions. And such a person cannot be removed unless he violates provisions governing his appointment, which could be corruption, madness or incompetence. The appointment process should also not be restricted to president. The president should be required to nominate at least three names.
of qualified Nigerians, who should be police officers from the rank of Commissioners and above to the national Assembly for scrutiny and confirmation for the job. The process of confirmation should include public hearing, where members of the public who know the nominees could come and testify about their integrity. This process of appointment and tenure of office would hopefully prevent the present situation where successive political leadership have manipulated the Nigeria Police Force whichever way they desire. These suggestions would however require constitutional and statutory amendment to effect.

2. Capacity for Crime Information Management
Since an elected government was sworn in May 1999, several reform programs have been initiated in the police. Some of these reform efforts have focused on training, improving police accountability, and lately community policing. These are very important areas, especially given the neglect of the police during the military era. However, a critical area which is very important to the overall success and sustainability of the reform programs and the country’s police force has been overlooked. This is the development of capacity for crime information management in the police. This capacity is essential for effectiveness as well as accountability of the police.

Currently, the police force has several forms from which it extracts four characteristics: type of crime, status of offender (juvenile/adult), sex of offender, estimated loss. These are published in the annual summary of crime statistics. But the collation of the information is not given serious attention, as a result no special skills are required before posting a junior officer from general duty as crime records officer. Often, the deployment is seen as punishment. At the state command levels, records from divisions are not meticulously submitted and collated and sanctions are not often impose on division commanders who fail to submit or who submitted later. The same weaknesses apply at the national level where returns from the states are supposed to be collated. The overall problems of crime statistics management manifest when police are requested to supply statistics. First, the request cannot be promptly satisfied. Whatever statistics are provided will be inaccurate from even simple arithmetic procedures. Sometimes different figures are submitted for the same year at different times. The solutions to these problems are (1) sensitization of the leadership to the importance of crime statistics as a tool of planning, for designing, implementing, monitoring and evaluation crime prevention and control programmes, for evaluation of services, and for accountability; (2) developing skills for effective crime statistics management in the Force, (3) computerization of the crime statistics collation, analysis, storage and retrieval process in the Force and (4) engagement of the services of statisticians, criminologists and criminal justice experts to work with its Research and Planning Department in the development of a standardized method of crime information collection and analysis, and effective information management system, which would enable the use of statistics in planning, training and deployment of its scarce resources as well as monitoring the behaviour of its officials.
3. **Streamlining Police Disciplinary Procedures and control systems**

The need to streamline and integrate the various internal disciplinary mechanisms and procedures in the Nigeria Police Force to a manageable framework that could easily be used by aggrieved citizens seeking redress for police misconduct as well as using data emanating from such mechanisms in tracking police officials who are subjects of unusually high numbers of citizens’ complaints has become long overdue.

The Nigeria Police Force has a multi-layered internal disciplinary system that can theoretically be invoked by members of the public that are aggrieved by acts of police misconduct. These mechanisms include verbal or written complaints to any superior police officer about acts of misconduct involving his or her subordinates and if the complainant is dissatisfied with the action of the superior officer could complain to higher officers including the office of the Inspector General of Police. Such complaints could also be sent to the police Public Complaints Bureau (PCB) located in the police public relations department of every state police command or to the police Provost Department at the Force headquarters, which are responsible for investigating acts that negate police ethics and profession with a view to finding out the genuineness of such complaints or otherwise (Ogbonna, 2001). The police provost department is also responsible for conducting orderly room trial against erring police officers (Ogbonna, 2001). Within the offices of the Force Criminal investigation Department (FCID), there is also the X-Squad made up of plain clothes police personnel who occasionally conduct surveillance on the activities of patrol officers and those on checkpoint or stop and search duties. Successive Inspectors General of Police also established ad hoc monitoring units that reported directly to them and are usually called IGP’s Monitoring Unit (MU).

The major problems plaguing the police internal control systems, which have alienated the citizens from using them, is that they are uncoordinated and under-resourced, and as a result largely ineffective. This is compounded by the fact that public is not aware of the existence of any regulation guiding the invocation of the mechanisms. Such a regulation, if it exists, would have provided information as to which of the mechanisms could be complained to for particular offences, in particular areas and at which stage. This has led to a situation where a citizen could wake up and write a petition to the Inspector General of Police in far away Abuja, the Federal Capital Territory, for allegations of police misconduct that could have been handled by the divisional police officer in his or her local community. And when he or she could not get a reply or redress on time, the conclusion is that the police do not take complaints against its personnel seriously.

There is therefore the need for the police to make discipline in the Force a priority so as to enable the proactive use of disciplinary mechanisms in promoting a new police culture and establishment of minimum standards of policing. This would require funding, streamlining and effective coordination of the work of the various internal disciplinary mechanisms in the Force such as the Police Complaints Bureau (PCB), X-squad, Human Rights Units and the IGP’s monitoring unit, in order to make it more effective. The PCB should be strengthened to deal with complaints of police misconduct that relates to low level corruption, incivility, insensitivity, brutality and violence. More serious complaints
such as extra judicial killings of suspects and innocent citizens and torture should be referred to the Police Service Commission immediately.

4. Introduction of Community policing in Nigeria

The community policing program of the Nigeria Police force is about two years old now since it was launched in April 2004. Apart from episodic media reports about the program, it is doubtful if police officers are aware of what the program is all about and what they are expected to do. Yet, Community policing is a policing strategy that requires police officers to do many of their old jobs in new ways, and that they take on tasks that they never imagined would come their way. They are also asked to identify and solve a broader range of problems, reach out to elements of the community that previously fell outside their orbit, and put their careers at risk by taking on unfamiliar and challenging responsibilities. The least that is expected before such a program is made public is an awareness program that prepares officers on challenges they are likely to face and how to overcome it. The result is that even in states where the program has been on now for about two years, neither the citizens nor majority of the police officers know what it is all about. I have been confronted by senior police officers who asked me whether it is a new type of police and yet these are people who should know about the program better than me.

Another issue with the program is the slow pace at which it is being implemented. At the current rate which is training of community policing developers in three states per year, it will take about 12 years to complete the training cycle in the 36 states of Nigeria, not to talk of beginning the entrenchment of the program in rules and procedures of the police and at workplaces where its impact will be measured. A better approach would have entailed limiting the role of the Force headquarters to developing the strategic plan of the program, preparing the rules of procedure and curriculum for training of community policing developers at the police colleges and training institutions by the training department. The State commands will then be provided with resources for taking charge in piloting and entrenching the programme in the states, where local nuances, sensibilities and realities will be factored into the implementation of the program. This way the implementation of the program will not only be faster but also locally entrenched and contoured because community policing is a local program and not one you can coordinate from Abuja. If Abuja is worried about the implementation of the program in a particular state it can through a combination of carrot and stick polices bring any erring state command to line.

The third and final issue we have with the community policing program is that of its ownership and control, which the Nigeria Police Force has failed to exercise. Since the introduction of the program the truth is that it has largely been owned and controlled by the British Council’s Security, Justice and Growth Program, which has since turned it into a rehabilitation project for retired British police officers who are brought in droves and paid high consultancy fees at the expense of their local counterparts in Nigeria. In theory, a Steering Committee headed by DIG Jimoh was established by the Tafa Balogun
administration to oversee the implementation of the program, but the committee has not met for ones since its inception. Decisions about the implementation of the programme are often made without the knowledge or contribution of the Nigeria Police. Many of the officers who excitedly signed up to be trained and join the project team are now looking for ways of being posted out of it because they no longer know what is happening. There is therefore the need for the Nigeria Police Force to take charge of the program and shape it to suit the Nigeria context. This should start with a review of what has been done so far, establishment of a functional coordinating committee and decentralization of the implementation of the program to give State and Area commands more roles and stakes in it.

5. Recruitment, Training and promotion

There is a need to give serious attention to the recruitment, training and retraining of the police personnel. Serious efforts should be made to ensure that only suitably qualified persons are recruited into the police and their length of training should be considerably increased. Serving police officers should be sent for refresher courses within and outside Nigeria to acquire more knowledge and professional skills for effective discharge of their duties.

Police officers that have embarked on self sponsored education at post secondary levels that is higher education and professional qualifications should be rewarded by being regarded to appropriate ranks within the next twelve months.

Workshops, seminars, lectures for the reorientation of police officers should be organised in collaboration with civil society groups at state and divisional command levels, to enable them acquire proper orientation for policing a free and democratic society. The curriculum of police colleges should be enlarged to adequately deal with human rights education, international codes and ethics for law enforcement officers etc.

Refresher courses should be provided for all levels of the police with a view to sharpening the professional skill of officers and to enable them understand the changes and dynamics in the country’s political, social and economic spheres. The courses should also aim at ensuring that police are properly oriented to promote good relationships with the public, and protect human rights and rule of law in the country.

6. Civilianization of non core policing functions

There is a need for an urgent review of functions and services presently performed police officers in Nigeria with a view to determining which of them could be better performed by non police officers, so that police officers could be focused on core policing functions such as fighting crime. An informed estimate has it that about one third of the police personnel in Nigeria are engaged in non policing functions, some of which includes driving and carrying trolleys for the wives of senior police officers when they go to shop in super markets. This amounts to a gross waste of the resources used in training the officers as civilians could very well carry out these functions without going through rigorous police training. It also makes it difficult for adequate number of police officers to be available in handling emergencies.
The recent trend in many jurisdictions including some countries in Africa is to hire civilians with specific skills and expertise into police forces to perform those specialized functions that could not easily be carried out by sworn officers. Some of the services include: Crime analysis, Budgeting, Forensic science, Ballistics examination, Computer programming, Mechanics, Private drivers etc. Such policies should be emulated.

7. Police Response to gender Based Crime

The Literature on gender-based crime in Nigeria has shown that the phenomenon is not only on the increase but also has no respect for age, social status or geography (Osarenren and Effah-Chukwuma, 2001; Alemika and Chukwuma 2004). The forms of gender based crime prevalent in the country include domestic violence, sexual violence, harmful traditional practices, child prostitution and trafficking, and the use of female children for domestic labor (Osarenren and Effah-Chukwuma, 2001).

In spite of the growth in the number victims of gender-based crime, the reporting rate to the police has been very low in comparison with other crimes such as burglary and robbery. In a victimization survey carried out in Lagos in 2004 by the CLEEN Foundation in collaboration with the Federal Office of Statistics, only 5 percent of victims of gender-based crimes reported their victimization to the police (Alemika and Chukwuma, 2004). The figures will certainly be lower when you measure reporting rates in other cities and states in Nigeria that have neither the cosmopolitan outlook of Lagos nor the literacy level. Among the reasons given by respondents for the low reporting rate of gender-based crimes to the police include:

- Police lack of sensitivity to the specific needs of victims
- Inability of the police to do anything
- Ridiculing of victims by the police
- Fear of inadequate protection in cases where the perpetrators are living with the victims
- Lack of where to go in the cases of domestic violence (Alemika and Chukwuma, 2004).

Yet the police are very critical in preventing and dealing with cases of gender based crime in Nigeria. Not only are they needed in arresting and bringing perpetrators to justice, they are also ideally placed to activate a chain of referral services including medical attention, counseling services, legal assistance, shelter for victims and creating awareness about gender based crimes among the general population. It is therefore very important to train the police on gender sensitivity, provided with institutional capacity to respond to gender-based crimes and networked with other role players, especially civil society groups working on issues of gender-based violence and medical services.
8. Review of Police Act

Finally, Mr. Chairman, there is the need for the National Assembly to take seriously the issue of reviewing the Police Act, which was enacted in 1943 by the British colonial government. An interagency committee was established in 2005 by the Speaker of the House of Representatives to review the Act, which at the end of its sittings produced a draft bill reviewing the act and submitted it for gazette. The bill addressed three important areas for urgent attention, which were identified by an interactive forum on review of the Police Act organized by the House of Representative in collaboration with CLEEN Foundation in November 2004. These areas were:

- The need to incorporate positive policy developments in the Nigeria Police Force in to the Act in order to provide legal basis for their sustenance
- The urgent requirement for amendment or deletion of certain provisions in the Act that have become either outdated or obnoxious in the light of the present era of new hope for democracy in Nigeria.
- The necessity to amend sections of the Act that make it impossible to insulate the police from partisan political control such as section 9(4), which vest the operational control of the police in the hands of the president rather than the chief of police.

Thanks for giving us audience.

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