
POLICE REFORMS IN NIGERIA

BY

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INTRODUCTION

Reforms can be defined as "Change that is made to a social system, an organization et cetera in order to improve or correct it"¹. The essence of reforms is to bring about a positive change, which will either result in improvement or correction.

Before 1999, the Nigerian Police had a reputation for corruption and violence. The relationship between the police and the citizens in the country is characterized by suspicious and mutual hostility². The military administration failed to bring about any meaningful change in the force³.

The advent of the civilian administration in Nigeria on May 29, 1999⁴ brought about remarkable improvement in the Nigerian Police Force. Among the first efforts was the adoption of the five years development plan for the police in 2000.

The plan aimed to increase policing capacity through recruitment and improvement of police welfare and powers. In March 2002⁵ the government adopted an eight point priority agenda which include an anticorruption drive

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1. Wehmeier, S. (ed), Oxford Advanced Learner's Dictionary of Current English (6th ed), Oxford University Press, p. 983.
2. Chukwuma, I, The Future of Police Reform in Nigeria. Human Rights and Justice Sector Reform in Africa. <http://www.justiceinitiative.org/db/resource/2/fs/file?id=15275>.
3. *ibid.*
4. President Olusegun Obasanjo was sworn in as President of the Federal Republic of Nigeria on May 29, 1999. He took over from the Military government of General Sanni Abacha. Police Corruption and Abuse plagued life under General Sanni Abacha's tyrannical rule. Almost seven years after Abacha's administration questions over police accountability and effectiveness continue to linger.
5. Mr. Tafa Balogun the then Inspector General of Police introduced this remarkable change in the administration of the police force in Nigeria.

and community partnership policing. The study will focus on the reform programs of the government since 1999.

MAJOR REFORMS SINCE 1999

Since 1999 the government have recorded some success on the reform in the Police in Nigeria, some of these remarkable achievements are; Community Policing Program, Special Anti-Crime Squad, Police Complaint Commission, Police Services Commission, National Human Rights Commission, Police Academy and Review of the Police Act.

1. Community Policing Program (CPP).

Community Policing Program is a holistic approach to Police reform. It was launched by President Olusegun Obasanjo in April, 2004. The CPC aims to transform the culture and organization of the police, improve the police force's relations with the citizens and the quality of the service delivered.

The key components of CPP are; creating awareness of community policing both within the force and wider society; introducing intensive skills development and leadership training of local police officers; examining police structures and organization; reviewing training curricula and methodologies of the police, developing intelligence led policing and the use of new technology; and finally, reviewing legislation and procedures⁶. The program is being piloted in Enugu State, Nigeria with plans to extend the project to other states.

A core part of the British Government's project involves intensive training of selected police officers, known as Community Policing Developers (CPDs). The training aspires to bring about major attitudinal change through leadership training and skills development. To date, eighty-four officers have been trained as CPDs in Enugu. Enugu State, Nigeria.

2. Special Anti-Crime Squad

Since 1999 numerous special police units have been created to address the problem of rising crime. These include the Rapid Response Squad, Operation Sweep, and the Special Anti-Robbery Squared (SARS), Operation Fire for Fire and Service with Respect and Integrity.

6. Community Policing Project Plan: Report and Recommendation on the Implementation of Community Policing in Nigeria, February 18, 2004.

Serving alongside the regular police force are the Mobile Police, a specially trained anti-riot unit, known as MOPOL, they were created to contain civil disturbance or large-scale conflict.

Several other national agencies also carry out the duty of the police such as the National Drug Law Enforcement Agency (NDLEA), the Customs and Immigration Service and the Economic and Financial Crime Commission (EFCC). In addition there are two principal intelligence agencies, the State Security Service (SSS) and the Directorate of Military Intelligence (DMI), dealing with criminal matters affecting the security of the State.

3. Police Complaint Bureau

The Police Complaint Bureau was introduced in 2003, which permit members of the public to report incidents of misconduct for internal investigation. In addition Human Rights Desks was also introduced charged with dealing with complaints relating significantly to human rights abuses by police.

Once a formal complaint has been lodged to the Police Complaint Bureau, Human Rights Desk, or through a written petition to any level of police authority, by an individual or organization, the closest superior officer is assigned to undertake an investigation. Cases of minor misconduct are dealt with immediate disciplinary action. In cases of serious misconduct the superior officer will authorize the peer-review of officers of junior rank. This process is known as an orderly room trial and is an internal police trial, similar to military court martial, where the accused officer is cross-examined by peers. This is separate and parallel to a criminal investigation for senior officers of Assistant Superintendent of Police rank and above, the Inspector General sets up panel of senior officers to hear the case. In both cases recommendations of disciplinary action such as dismissal, suspension or demotion are made before forwarding to the Police Service Commission for sanction.

4. Police Service Commission

The main body involved in the exercise of external oversight of the Nigerian Police Force is the Police Service Commission (PSC), an independent constitutional body established in 2001. The PSC is made up of a retired Justice of the Supreme Court or Court of Appeal, a retired Police Officer not below the rank of Commissioner, and four members of civil society. Section

6 of the Police Service Commission Act grants the body responsibility for the appointment, promotion, discipline and dismissal of all Nigerian Police Officers below the rank of Inspector General⁷.

According to the powers granted in the Act, the PSC is mandated to conduct investigations into cases of misconduct by the police in order to recommend internal disciplinary action against officers found negligent. Like the "Orderly room trial" process, this is separate from and should in principle work parallel to a criminal investigation which can only be undertaken by the police themselves, the PSC has no authority to refer cases to the prosecutor. In reality, the commission lacks the political will to conduct investigations into cases of misconduct. All complaints of police misconduct, including serious human rights abuse, are currently referred to the police for further investigation. In 2004 the PSC received over fifty complaints of ill-treatment by the police from members of the public or human right organizations, all of which were forwarded to the Inspector General of Police. In addition the PSC can recommend internal disciplinary action once an officer has been charged or convicted of a crime.

5. National Human Rights Commission

The National Human Rights Commission (NHRC) is a body established in 1995 and charged with the promotion and protection of human rights in Nigeria. It is granted to monitor and investigate cases of human rights violations. Once the commission investigators have verified the fact of each case, details are sent to the Inspector General of Police via a Police/Human Rights Commission Committee held at regular intervals, this committee provides a formal channel through which cases of human right abuse can be directed to the police authorities for the purpose of recommending internal discipline.

The National Human Rights Commission has recorded remarkable achievements such as conducting regular fact-finding visit to the police cells, prisons and other detention centres in the country and training of legal and investigation officers on investigation and treatment of complaints⁸.

6. Police Academy

The present Inspector General of Police, Mr. Mike Mbama Okiro proposed

7. Police Service Commission (Establishment) Act, 2001.

8. Bayo Ojo, Justice Sector Reforms. The Journey so far. National Ministerial Press Briefing 2005 held on Tuesday 13th December, 2005.

the establishment of an academy for the enunciation and propagation of force philosophy. He said, force doctrine will be the pivot on which impanation would be made for the sensitization of officers culminating in the improvement of the force. He introduced the focal points of the police administration which would include the nine way test, to include; transparency/accountability, war on corruption/crime, crime prevention, intelligence/crime data base upgrade, training, police public image/public relations, human rights, community policing and inter-agency corporation.

7. Review of the Police Act

The review of the Police Act in November 2004 bring the laws governing the police into line with international standards, particularly the inclusion of a code of conduct that specifically prohibits the use of torture and other forms of ill-treatment.

THE ROLE OF THE INTERNATIONAL COMMUNITY

The British and United States governments are among the principal donors providing multi-million dollar support for police reform initiatives in Nigeria.⁹

The British Department for International Development (DFID), funds a thirty million pounds (US \$55.5 million) Security Justice and Growth Program which began in 2002 under its former title "Access to Justice". Managed by the British council, the five year program has three components, one of which concentrates on enhancing security and safety in Nigeria through collaboration with the Nigerian Police. The aim of the collaboration is to develop the quality of police service delivery; improve the effectiveness of informal policing system, and help develop processes for conflict prevention, resolution and management.¹⁰

In July 2002 the United States and Nigeria signed a comprehensive law enforcement assistance and cooperation agreement. A grant of US \$3.5 million was dedicated to assist law enforcement agencies including the Nigeria Police Force, The National Drug Law Enforcement Agency, the Economic Finance and Crime Commission and Independent Corrupt and Practice Commission. US \$ 2.6 million of the overall grant funds police

9. Both governments have been closely engaged in supporting reform efforts since the transition from military rule in 1999.

10. British Council Security Justice and Growth Program, Nigeria Police Community Policing Documents, 2005.

reform through provision of technical assistance, training and equipment.¹¹ According to US Embassy officials the budget for the police assistance program has increased to US \$12.65 million in 2005¹². Like the British government program, there is a strong emphasis on community policing to improve police and community relations and a pilot project is being run in Kaduna State, Nigeira There is also support for curriculum development and basic training for new recruits to the force. This was carried out for nine months at the Kaduna Police Training College and there are plans to extent to colleges in Kano, Maiduguri and Enugu all States of the Federation of Nigeria.¹³

Alongside and as a complement to funding and implementing such police reform programs, the British and the U.S. governments, along with other members of the international community, has engaged in dialogue with the Nigerian police and government. The international community has a responsibility to raise the issue of police abuses, including torture and deaths in custody, directly with the Nigerian government.

SHORTCOMINGS OF THE REFORMS

A cursory look at the policies of the government over years have shown numerous shortcomings. For instance, the five year plan to recruit an average of 40,000 police personnel per year was not proceeded by an assessment of the capacity and preparedness of the eight police colleges and training institutions in Nigeria to absorb and effectively train this many recruits. A more careful assessment would have revealed that these institutions did not have the capacity to take on such a task effectively. The schools were stretched to breaking point.

The new policies and programs have not significantly altered the behavior of officers on the streets in Nigeria, nor has public perception of the police improved noticeably. On a daily basis, citizens continue to complain of human rights abuses by police, including extortion, brutality, torture and even extra-judicial killings.

11. "Ambassador Howard F. Jeter's Remarks at signing ceremony for INL Letter of Agreement on Law Enforcement Assistance and Narcotics Control". July 2, 2002 found at www.usembassy.state.gov/Nigeria

12. Richard R. United State Embassy, Abuja, June, 2005.

13. Ressueh, H, United States Embassy, Abuja, May 12, 2005.

CONCLUSION

Perhaps the thorniest issue of the review is that of the political accountability of the police. The Inspector General of Police is appointed and accountable to the President who has overall operational control of the force. This clearly compromises the independence of the police force, leaving it open to political manipulation by the executive arm. Amending these sections to grant the Legislature and Police Service Commission a role in screening, confirming and, in cases of serious misconduct, removing, the Inspector General is necessary to extent accountability and promote accountable policing in Nigeria. It is vital that members of the National Assembly endorse these amendments to ensure the new bill contains stringent safeguards to protect human rights and provides a positive legal framework for meaningful police reform in Nigeria.

Concretely, the government must provide more funds to the police, in particular they must increase assistance to the Police Complaints Bureau to improve access to Justice. The government must also support community policing initiatives country wide, improvements in police training and nationwide campaign to raise awareness that police brutality and other abuses are forbidden under Nigerian and International laws.

In addition, measures to improve the effectiveness of the Nigerian Police Force, such as training, upgrading the requirements for recruitment and performance measures and the establishment of juvenile and women's units, must also be included. Incorporating positive police initiatives, such as community policing, are also essential to guarantee the long-term sustainability of such programs and insulate them from the whims of political leadership.

The government must take concrete steps to eradicate police brutality in Nigeria. Ending police abuses and implementing meaningful reform must be approached with the zeal and the government's anti-corruption crusade¹⁴.

In order to improve the standard of the Police in Nigeria, it is recommended as follows;

1. The government should place a cap on further recruitment and instead

14. Sonya, M. "Rest in Pieces" Police Torture and Deaths in Custody in Nigeria, Human rights Watch Vol. 17, No 11(A) July 2005.

immediately launch a program of retraining for all those recruited in the last four years.

2. Accountability processes and mechanisms should be given greater political support and a higher priority in police budgeting
3. Investments in social and economic measures for crime prevention should be increased in order to make community policing more effective in building partnerships between the police and the communities they serve in Nigeria.
4. The role of the police to the society should shift from that of an organ of state oppression into an effective servant of the safety and security needs of the society and the citizens.