

A CRITICAL APPRAISAL OF THE IMPEDIMENTS TO EFFECTIVE POLICING IN NIGERIA*

Abstract

The role of the Nigeria Police Force in the administration of criminal justice is very vital as it represents the entry point into the Criminal Justice system. Hence, without the much needed input from the police, administration of criminal justice would be a herculean task. Unfortunately, the Nigeria Police Force has not been able to live up to expectation in providing adequate security to the nation, and finding out the reason behind this sad reality was the underlying motivation for this work. In carrying out this research, secondary sources of information and data were utilized. The findings revealed that several factors are responsible for police inefficiency and ineffectiveness, which include corruption, police-public antagonism amongst others. The work also observed that some constitutional provisions on the organizational capacity of the police have negatively affected its effectiveness. A voyage into some Commonwealth countries also revealed that these countries have various levels of local, provincial and federal police agencies and they have infused community policing philosophy into all aspects of policing. This work accordingly recommended amongst others that Nigeria adopts a more decentralized police structure that emphasizes a pro-active, problem-solving approach where the police carry out police work in close partnership with the communities they serve.

Keywords: Impediments, Effective Policing, Nigeria, critical Appraisal

1. Introduction

The Nigeria Police Force¹ is one of the most fundamental government agencies in the administration of Criminal Justice in Nigeria. Its very important role cannot be over-emphasised as it is the most visible governmental agency established by law to ensure preservation of public order and law enforcement as well as prevention and detection of crime. In order to effectively carry out these duties, the police are given certain powers which are enshrined in the Police (Establishment) Act, 2020² and in the Constitution of the Federal Republic of Nigeria, 1999.³ However, over-time in Nigeria, the performance of the Nigeria Police Force can best be described as less than optimum and police behaviour have become underlined by high-handedness and arbitrariness in exercising its powers. Various factors have been blamed by different scholars as being responsible for the situation. However, in the light of the criticisms of the police for failure to effectively tackle crime in the country, this work discusses the major impediments to effective policing in Nigeria and the crucial poser then becomes, how efficient can the Nigeria Police be with these impediments? The answer to this poser is, without mincing words, the domain of this study.

2. Conceptual Framework

Policing

Policing has been defined as the activities carried out by police officers in order to preserve law and order.⁴ The term policing have come to mean an approach to fighting crime through community service and problem solving.⁵ Hence, in a sense, law enforcement is but one component of policing. Taking a law enforcement-only approach to fighting crime can encourage an ‘us-against-them’ mentality, both in officers and the members of the public they serve. When the police look to work within their communities to solve problems and fight crime together, it encourages participation and ownership on behalf of all parties and helps foster trust between officers and the general public.

Administration of Criminal Justice

Administration of criminal justice is a compendious term that stands for all the complexes of activity that operate to bring the substantive law of crime to bear, or to keep it from coming to bear, on persons who are suspected of having committed crimes. It refers to the rules of law that govern the detection, investigation,

*By **U.C. KALU, PhD, BL**, Professor of Law, Faculty of Law, Nnamdi Azikiwe University, Awka; Email: uwadinekekalu@yahoo.com, GSM: +2348037727063; and

***Blessing Nwadiuto OMEREDE, LLB, BL, LLM Candidate**, Faculty of Law, Nnamdi Azikiwe University, Awka, Nigeria. Email: bbomerede@gmail.com. GSM: +2348066238531

¹ Also referred to subsequently in this work as the NPF.

² The Nigeria Police (Establishment) Act, 2020.

³ Constitution of the Federal Republic of Nigeria, 1999, Cap C23, Laws of the Federation of Nigeria, 2004 as amended.

⁴ Collins English Dictionary’ available at <<https://www.collinsdictionary.com/dictionary/english/policing>> accessed on 1/02/2020 at 4:10pm.

⁵ T Roufa, ‘The Difference Between Law Enforcement and Policing,’ available at <<https://www.thebalancecareers.com/law-enforcement-vs-policing>> accessed on 27/01/2020 at 12:00pm.

apprehension, interviewing and trial of persons suspected of crime, and those persons whose responsibility it is to work within these rules.⁶ The criminal justice system encompasses four major component subsystems; police, courts, corrections/prisons and the legislature. Each subsystem contains a number of functional areas. Functionally, this work adopts the systems model of criminal justice which is characterized primarily by the assumption that the various parts of the justice system are interdependent and work together to achieve the wider purpose which is criminal justice.

Role

Role, simply defined is the duty or use that someone or something usually has or is expected to have.⁷ It is also defined to mean a function or part performed especially in a particular operation or process.⁸ In this work, it connotes the duty or function played by the Nigeria Police Force in the administration of criminal justice.

3. Legal Framework for the Role and Operation of the Nigeria Police Force

Constitution of the Federal Republic of Nigeria 1999 (as amended)

The *grundnorm* of Nigeria which is the Constitution of the Federal Republic of Nigeria (CFRN) 1999 (as amended), establishes the Nigeria Police Force and also contains important provisions on some critical aspects of the force.⁹ Section 214(1) of the constitution establishes the Nigeria Police Force. The constitution further provides in sub-section (2) (a) and (b) of the section that the Nigeria Police Force shall be organized and administered in accordance with such provisions as may be prescribed by an Act of the National Assembly and the members of the Nigeria Police shall have such powers and duties as may be conferred upon them by law. Pursuant to the above provisions, the National Assembly enacted the Nigeria Police Act, 2020¹⁰ which spells out in details the duties and functions of the Nigeria Police Force. Section 215 of the 1999 Constitution further provides for the office of the Inspector General of police (IGP) and it is submitted by this Researcher that the provision, that is, section 215 which puts the IGP under the command of the President exposes the NPF to unwarranted interference with their duties by the executive arm of government. There is therefore, a need to amend section 215 of the constitution in that regard.

Nigeria Police Act 2020

The Nigeria Police Act, 2020 is the principal legislation that provides a detailed enumeration of the organizational powers, duties and discipline of the Nigeria Police Force. Pursuant to section 214(2)(b) of the Constitution of the Federal Republic of Nigeria 1999, the functions and duties of the Nigerian Police Force were clearly specified in sections 4 and 5 of the Nigeria Police Act, 2020. As provided for by Sections 4 and 5 of the Police Act, the police is charged with the general duties of protection of life and property, detection and prevention of crime, apprehension of offenders, preservation of law and order, the due enforcement of laws and regulations with which they are directly charged and performance of such other military duties within and without Nigeria as may be required of them by or under the authority of any other Act. The Nigeria Police Force is also responsible for promoting and protecting the fundamental rights of persons in police custody as guaranteed by the constitution, under the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act¹¹ and other international legal instruments on human rights to which Nigeria is a signatory.¹² In order to effectively carry out these duties, the police are given certain powers which are enshrined in the Police Act and in the Constitution. They are essentially the power

⁶'Duhaime's Law Dictionary', available at <http://www.duhaime.org/LegalDictionary/Administration_ofJustice_AspX> accessed on 20/02/2020 at 04:00pm.

⁷'Cambridge English Dictionary', available at <<https://dictionary.cambridge.org>> accessed on 10/8/2018 at 12:30pm.

⁸'Merriam Webster Online Dictionary', available at <<https://www.merriam-webster.com>> accessed on 10/8/2018 at 12:00pm.

⁹ CFRN, 1999, (as amended). It is otherwise referred to subsequently in this thesis as "the constitution".

¹⁰ The Nigeria Police Act, 2020.

¹¹African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, Cap A9, Laws of the Federation of Nigeria, 2004.

¹²This is a commendable improvement on section 4 of the repealed police Act, Cap. P.19 LFN, 2004 which provides that "the police shall be employed for the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulations with which they are directly charged, and shall perform such military duties with or without Nigeria as may be required of them by or under the authority of this or any other Act." These Novel provisions have been made to address major current lapses and it is hoped that the purpose of those provisions would to a large extent be achieved. However, it is submitted by this researcher that a lot more has to be done in completely reforming the Nigeria Police Force to achieve maximum efficiency.

to conduct prosecutions,¹³ the power to arrest with or without warrant in certain circumstances,¹⁴ the power to release persons arrested without warrant on bail, using discretion in matters that are not of a sufficiently serious nature,¹⁵ the power to search,¹⁶ the power to detain and search suspected persons where any police officer reasonably suspects that such persons may have obtained or are conveying property unlawfully, the power to take and record measurements, photographs, and finger prints of persons in lawful custody.¹⁷

4. The Crisis of the Nigeria Police Force

Adopting the major yardsticks for measuring successful policing posited by Odekunle which are effectiveness, responsiveness and efficiency, the performance of the Nigeria Police Force is rated as 'short of optimum'. According to him, material inputs in terms of funding, crime-prevention/control detection, investigation, communication and data-gathering research needs are not only inadequate but are unrealistic as well.¹⁸ Onyeozili also identifies other institutional constraints such as inadequate manpower (both in strength and expertise), insufficient education and training, inadequate equipment, and poor conditions of service of the average policeman (popularized by military dictatorships.¹⁹ Musa B. Abdulkabir the Former Deputy Inspector-General of Police, Nigeria Police Force, in a presentation made by him identified the problems of poor manpower, finance, training and equipment. According to him, for the Nigeria police force to effectively fulfill its statutory and constitutional roles, it requires significant input.²⁰ Alemika on his part identifies the problems faced by the Nigeria Police Force which he groups as the structural and institutional constraints affecting the force.²¹ One important point noted by Nwankwo, Bello and Alemika which is an important factor that has been neglected for many years is the fact that the ability of a police officer to perform his role depends to a considerable extent on that officer's perception of his roles and responsibilities.²² The police in Nigeria are ignorant or perhaps lack consciousness of their roles, as their role-perception has been inevitably wrongly shaped by its history and origins as a colonial force. This work would recommend continuous training and re-training of police officers to enable them come to a clear understanding of what police role entails. The Inefficiencies and impediments faced by the Nigeria Police Force has to a great extent negatively affected the criminal justice system in its entirety right from the stage of arrest, investigation, prosecution, trial and even to the point of judgement, stampeding the process and rendering it ineffective. In fact, Nigeria has a reputation of being rated consistently at the bottom by the World Internal Security and Police Index and particularly in 2016, out of the 127 countries measured, Nigeria's Police Force ranked the Worst just below Congo, Kenya and Uganda to make up the bottom four.²³

¹³The Nigeria Police Act 2020, s 66. It appears the newly enacted Police Act has put an end to the confusion in our criminal procedure as to whether a police officer can conduct criminal matters in courts other than inferior courts as according to the provision, only police officers who are legal practitioners are given the absolute power to prosecute before any court in Nigeria. Police officers who are not legal practitioners may only prosecute those offences non qualified legal practitioners are allowed to prosecute. The power vested in the police by section 66 of the Police Act to conduct criminal proceedings is exercised subject only to the powers of the Attorney-General of the Federation or that of a state to institute, undertake, take over, continue or discontinue criminal trials in any court in Nigeria.

¹⁴Arrest may take two forms – arrest with warrant and arrest without warrant. The Nigeria Police Act, 2020, s 38 and the Criminal Procedure Act, 1945, ss 3 and 10.

¹⁵The Nigeria Police Act 2020, s 62, CPA 1945, s 18 and CPC 1960, s 129. The right and power to bail generally is an adjunct or direct offshoot of the constitutional right to liberty guaranteed under section 35 (1) and the right to freedom of movement under section 38 of the constitution. It is also not unconnected with the right to presumption of innocence as well as the right to fair trial guaranteed by the same constitution.

¹⁶The Nigeria Police Act 2020, s 48, CPA 1945, s 6 (1) and CPC 1960, s 44. A Search may be defined as an examination of a person's body, property or other area that the person would reasonably be expected to consider as private, conducted by a law enforcement officer for purpose of finding evidence of crime. B A Garner, *Blacks' Law Dictionary* (USA: West Publishing Co. 2004) p 1377.

¹⁷The Nigeria Police Act 2020, s 68. There is a proviso that where such person has no previous conviction and such said person is eventually acquitted or discharged by the relevant court, such records shall be destroyed and handed over to the said person.

¹⁸F Odekunle, 'Overview of Policing in Nigeria: Problems and Suggestions' In EEO Etannibi, and others (Ed) *Crime and Policing in Nigeria: Challenges & Options*. (Lagos: Network on Police Reform in Nigeria- NOPRIN C/O Cleen Foundation) p 9.

¹⁹EC Onyeozili, 'Obstacles To Effective Policing In Nigeria' [2005] *African Journal of Criminology and Justice Services*, 1(1).

²⁰MB Abdulkabir, 'Measuring Police Effectiveness in Nigeria: An Evaluation of Input and Output', in EEO Etannibi, and others (Ed), *opcit*, p 113.

²¹EO Alemika, 'History, context and crisis of the police', available at < psc.gov.ng>uploads> accessed on 20/09/2018 at 8:30pm.

²²C Nwankwo, H Bello and EO Alemika, *Human Rights Practices in the Nigerian Police* (Lagos: Constitutional Right Project (CRP) 1993) p 28.

²³'These Countries Have The Best Police Force in Africa', available at < <https://www.pulse.com.gh/bi/strategy-these-countries-have-the-best-police-force-in-africa/9611jpt>> accessed on 10/02/2019, at 12:45pm.

5. Major Factors Militating Against the Role of the Nigeria Police Force in the Administration of Criminal Justice

Corruption and Corruption Tolerance

Corruption has been a serious concern to the police authority in Nigeria and it has persisted on a wide scale at all levels of police functions because of the country's political and economic environment as well as its institutional inadequacies.²⁴ Indeed, so many years after its birth, members of the force are becoming a symbol in Nigeria for unfettered corruption, mismanagement and abuse.²⁵ Common corrupt practices seen on daily basis include extortion, embezzlement and collection of bribes by officers on duty. Connected to the problem of police corruption is the high tolerance of corruption and corrupt practices in the force. In Nigeria, there is a tendency by the police to protect each other's criminality and misconducts²⁶ which is one important reason for the persistence of corruption in the Nigeria Police Force.

Police-Public Antagonism

The relationship between the police and the public can be described generally as hostile. The police in the nation are generally feared but not respected, distrusted and despised.²⁷ The factors responsible for this current state of affairs are the historical legacy of oppression, experiences and misconceptions of police roles.²⁸ Another major hindrance to police legitimacy is police incivility or brutality.²⁹ This impediment rubs off on the police as an organization, as the members of the force have lost confidence in its capability to combat crime in the country.³⁰ A policy remedy for this police-public antagonism is to adopt and adapt community policing philosophy and infuse it into all aspects of policing. This is a philosophy that is fast gaining grounds in other jurisdictions of the world such as Canada, United Kingdom and the United States of America. In Canada, for example, this can be seen in Part XVI of the Ontario Police Services Act³¹ and in its heading of the first schedule title- Community safety and Policing Act, 2019. Section 248 (1) of the Community safety and Policing Act, 2019 provides that every municipality shall prepare and, by resolution, adopt a community safety and well-being plan. Subsection 2 further provides that the community safety and well-being plan may be prepared by the municipality individually or jointly in consultation with other municipalities or band councils.³²

Wrong Police Perceptions of Role

Without doubt, the ability of a police officer to perform his duties depends to a considerable extent on that officer's perception of his role and responsibilities.³³ As a result of ignorance of police officers themselves, the police have majority of times engaged in activities which reveal its misplaced priorities in the performance of its duties.³⁴ It is popularly believed that the role perception of the police was inevitably shaped by its history and origins as a colonial force, whose role was largely to suppress and pacify subjects opposed to the imposed authority of the colonialists.³⁵ So many years after independence, the police force in Nigeria still carries on like an occupation force. According to Ethelbert Okere, in his book, 'Nigeria: Agenda for Modern Police Force,' this attitude of viewing the citizens as a conquered people is not unique to the police force but common with members of the armed forces in general. However, 'the result', he says is that while this 'attitude makes the police scornful of the people, the latter are, on the other hand, resentful and hateful of the former'.³⁶

²⁴EO Alemika, *artcit.*

²⁵'Corruption and Human Rights Abuses- Human Rights Watch', available at < <https://www.hrw.org>.Last,> accessed on 20/09/2018 at 10:15pm.

²⁶EO Alemika, *art cit.*

²⁷*Ibid.*

²⁸AA Adeyemi, 'Corruption in the Administration of Justice in Nigeria', presented at the National Conference on the Problems of Corruption in Nigeria, held by the Nigerian Institute of Advanced Legal Studies at the Federal Capital Territory Abuja, 26 -29 March, 2001.

²⁹*Ibid.* Adeyemi reported that police brutality is common in the course of crime control, crowd control, management of protests and demonstration, investigation and at checkpoints. He went further to report that police brutality occur in form of extra-judicial killings, summary execution of suspects, and revenge killings.

³⁰*Ibid.*

³¹The Ontario Police Services Act, 2019, S.O. 2019, c. 1.

³²'Enforcement In The United Kingdom', available at <<https://en.m.wikipedia.org>> accessed on 10/10/2018, at 2:10pm.

³³C Nwankwo, H Bello and EO Alemika, *opcit*, p 28.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

Inadequate Crime Statistics and Poor Information Management

One constraint to the role of the Nigeria Police Force is that it operates without reliable statistics and information.³⁷ Modern economy and politics depend largely on information, which is why Alpine stated that it is a 'resource for political, social and economic life.'³⁸ However, crime statistics produced by the Nigeria Police Force are often inaccurate and sometimes incomplete due to administrative and technical problems that can be addressed but are not and contains very limited range of data.³⁹ The Federal Bureau of Investigation (FBI) for example, which is one of the top federal policing agencies in the United States of America, operates the Combined DNA index System (CODIS), a computerized forensic data base of DNA 'profiles' of offenders convicted of serious crimes such as rape, other sexual assaults, murder and certain crimes against children, as well as DNA profiles from unknown offenders.⁴⁰ CODIS, now a part of the National DNA Index System (NDIS), was formally authorized by the Federal DNA Identification Act of 1994.⁴¹ It is being enhanced daily through the work of federal, state and local law enforcement agencies that take DNA samples from biological evidence gathered at crime scenes and from offenders themselves. The computerized CODIS can rapidly identify a perpetrator when it finds a match between an evidence sample and a stored profile. By 1998, every state had enacted legislation establishing a CODIS database and requiring that DNA from offenders convicted of certain serious crimes be entered into the system.⁴² In Canada, the Canadian Police information Centre (CPIC), the single data point that serves every police service across Canada (a national data base), provides police officers with information on criminal activities and criminals at any moment, regardless of where they are.⁴³ Adopting these forms of data collection system in Nigeria as is done in the United States of America and Canada would go a long way in solving the current challenge of inadequate crime statistics faced by the Nigeria Police Force.

Constitutional Constraint of the Nigerian Police Force

A major constraint to the role of the police is the constitutional problem which puts the Nigeria Police Force under the presidency.⁴⁴ Such an arrangement whereby the Nigerian President and his /her representatives are legally empowered with operational control of the police force is abnormal among modern democracies.⁴⁵ Any meaningful reform of the Nigeria Police Force must be underpinned by its operational independence from the political leaders. Hence, there is need to amend the 1999 Constitution and the Nigeria Police Act in this regard.

6. The Quest for State Policing

The issue of whether or not the component states of Nigeria should have their own police forces and services has become a vexed issue in recent times. While Antagonists have insisted that Nigeria is not ripe for multiple police forces, they also raise arguments such as the problem of misplaced priority and abuse of office, the problem of conflict of interest, challenges that are likely to be fallout of multiple security agencies⁴⁶ and the financial implications of funding a state police service. However, a strong argument in favour of the establishment of state police is that it accords with the principle of federalism on which Nigeria fashions its Constitution.⁴⁷ One of the advocates of state police, Governor Babatunde Fashola of Lagos State argued that every state that has the power and can give judgement through its state High Courts and Magistrate courts, and make laws through its state assemblies and legislators must have the concomitant powers to enforce its law and police its state.⁴⁸ There is yet the problem of over concentration of responsibilities on the federal government.⁴⁹ With about 66 items on the exclusive legislative list to contend with, it is my submission that the federal government of Nigeria is already over-burdened with responsibilities. The creation of a state police structure would also be a major leap in the

³⁷EO Etannibi and others, *opcit*, p 73.

³⁸MC Alpine, 'An Information Processing Constraint Approach to the Conjunction of Macro-Economic and Macro-Political Theory', [1975] *Information Processing and Management*, 12, 1-17.

³⁹EO Etannibi and others, *opcit*.

⁴⁰CH Asplen, 'National Commission Explores its Future' [1999] *NIJ Journal*, 17-24.

⁴¹The DNA Identification Act is Section 210301 of the Violent Crime Control and Law Enforcement Act of 1994.

⁴²F Schmelleger, *Criminal Justice Today- An introduction Text for the 21st century* (8th edn, Upper Saddle River: Pearson Prentice Hall, 2005) p 198.

⁴³'Policing in Canada vs policing in the US', available at < <http://online.wlu.ca> > accessed on 05/09/2018 at 1:30pm.

⁴⁴CFRN, 1999(as amended), s 214(3) and (4).

⁴⁵O Omolere, 'Political Independence is crucial in Nigerian Police Reform', available at <www.financialnigeria.com> accessed on 12/09/2018 at 10:30pm.

⁴⁶AO Adedeji, 'State Police in Nigeria: Issues and Challenges'. Unpublished PhD Dissertation, International Islamic University Malaysia (IIUM), 2018, available at <<https://www.researchgate.net/publication/272965357>> accessed on 10/09/2018 at 10:00pm.

⁴⁷CFRN, 1999 (as amended), s 2(2).

⁴⁸AO Adedeji *art cit*.

⁴⁹*Ibid*.

nation's match towards a more secure Nigeria. An analysis of policing in other jurisdictions with a more decentralized system shows that these countries are better off than Nigeria in terms of security and police effectiveness.

An example of a country with a decentralized police structure worthy of emulation is Canada. Policing in Canada today is carried out at three levels; federal, provincial and municipal levels. All provinces are authorized under the combined provisions of sections 5 and section 92 (14) of the Constitution Act of 1867⁵⁰ to operate provincial police services. The enforcement of the Federal Criminal Code⁵¹ however is the same throughout all provinces and territories. Therefore, police training, police practices and investigative policies are standardized regardless of a police officer's location in the country.⁵² There are several other police services in Canada, in addition to those operating at the municipal, provincial and federal levels.⁵³ The United Kingdom is also another jurisdiction operating a decentralized policing system. Law enforcement in the United Kingdom is presently organized separately in each of the legal systems of the United Kingdom (UK), which is, England and Wales, Northern Ireland and Scotland.⁵⁴ Generally, there are three types of law enforcement agencies in the United Kingdom. Most law enforcement is carried out by police officers serving in regional police services (known as territorial police forces). These regional forces are complemented by UK-wide agencies such as the National Crime Agency⁵⁵ and the National specialist units of certain territorial police forces, such as the Specialist Operations Directorate of the Metropolitan Police.⁵⁶ Most of these other police agencies are concerned with policing of more specific matters.

When the above countries operating a decentralized policing system are compared with other countries like South Africa and Nigeria operating a Unified policing system, the difference is rather obvious. For example, the South African Police Service has been faced with several criticisms and challenges, some similar to those faced by the police in Nigeria and an analysis of its performance in effectively tackling crime reveals that South Africa consistently rank crime among their top concerns, second only to unemployment.⁵⁷ Xenophobic violence is also a continuous reality in South Africa.⁵⁸ It is therefore submitted that the benefits to be derived from state police outweigh its dangers. To check the excesses of the state governors and other state officials when state police is established, there is need to construct the laws that would effectively recognize the challenges canvassed by antagonists to the idea and put necessary safeguards in its operation to prevent abuse.

The Legal and Socio-Economic Implications of State Policing

The establishment of state police in Nigeria as contended and submitted above, though feasible, is not without heavy legal and economic implications. Part III (B), sections 214, 215 and 216 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) which deals with the establishment of the Nigeria Police Force as the only police force for the Federation of Nigeria, would have to be amended. Consequent upon this amendment, it would be imperative to amend the Police Act establishing the Nigeria Police Force, while each of the states of the federation through their State Houses of Assembly would have to enact laws for the establishment of their own respective police services. However, before they would be able to do so, internal security would have to be moved from the Exclusive Legislative List of the federation to the concurrent list, to enable the State House of Assembly legislate on the establishment of their own respective police services, thereby necessitating amendment of the Second Schedule, parts I and II of the 1999 Constitution. The next issue deals with the question of mandate and delineation of area of jurisdiction. What will amount to state and federal jurisdictions with respect to crimes will have to be very clearly spelt out. There would also be the inherent implication and necessity of coordination and synergy- vertical as well as horizontal – between and among the different levels of policing across the country.

⁵⁰*Ibid.* The constitution is made a part of the Canadian constitution 1982. According to subsection 52(2) of the Constitution Act, 1982, the Canadian Constitution consists of the Canadian Act 1982, acts and orders referred to in its schedule (including in particular the Constitution Act, 1867, and any amendments thereto).

⁵¹ **Criminal Code, R.S.C. 1985, c -46.**

⁵² 'Policing in Canada vs policing in the US', available at <<http://online.wlu.ca>> accessed on 05/09/2018 at 1:30pm.

⁵³ CT Griffiths and others, *Canadian Criminal justice* (Toronto; Harcourt Brace, 1994) p 11.

⁵⁴ 'Enforcement In The United Kingdom', available at <<https://en.m.wikipedia.org>> accessed on 10/10/2018, at 2:10pm.

⁵⁵ The National Crime Agency (NCA) is a national law enforcement agency in the United Kingdom. It was established in 2013 as a non-ministerial government department replacing the serious organized crime agency absorbing the formerly separate child exploitation and Online Protection Centre (CEOP) as one of its commands. It also assumed a number of responsibilities of other law enforcement agencies. 'National Crime Agency', available at <www.gov.uk.2013> accessed on 6/10/ 2013 at 12:00pm.

⁵⁶ The Metropolitan Police Service is the territorial police force responsible for law enforcement in greater parts of London excluding the "square mile" of the city of London, which is the responsibility of the City of London Police. 'Enforcement In The United Kingdom', *art cit.*

⁵⁷ A Fawell, 'Crime in South Africa May be falling, but fear is rising', available at <<https://qz.com/africa/1411892/how-safe-is-south-africa-recent-crime-statistics-are-confusing/>>, accessed on 28/04/2020.

⁵⁸ <<https://www.bbc.com/news/world-africa-49432558>>. Accessed on 1/07/2021, at 11:00pm. In 2015, there were outbreaks of violence against non-South Africans, mostly in the cities of Durban and Johannesburg, which led to the deployment of the army to deter further unrest.

The economic implication is quite obvious. The state would have to fund the proposed policing system if it is removed from the exclusive list. Antagonists as previously pointed out the cost implication with the current economic realities in some states, where they can barely fend for themselves without bail outs from the federal government.⁵⁹ However, it is a known fact that no matter the paucity of funds, security votes to governors still runs into billions of naira and is largely unaccounted for. Some call it 'governor's free money'.⁶⁰ It is submitted that state police will not be starved of funds as security vote remains a yearly take off fund. This means security vote has to be judiciously utilized. Funds for state police could also accrue from development partners, state government budgetary allocations, benefactions and occasional support from the federal government as the need arises.

7. Strategies for Effective Policing in Nigeria

Decentralization of Policing Structure

Nigeria should adopt a more decentralized police structure that emphasizes a pro-active and problem-solving approach. As a country operating a federal system of government, all the basic tenets of federalism should be put in place. As is practiced in other jurisdictions such as Canada, the United States of America, and the United Kingdom, there should be establishment of police agencies at state and local government levels. While the federal and state police departments deal with federal and state law enforcement matters respectively, the local government police will be organized along the model of a vigilante force in touch with the community they serve, and solely deployed to deal with law enforcement and order maintenance functions in these local communities. In order to actualize this, the legal implications discussed above would have to be addressed.

Training and Recruitment of Qualified Personnel

Training and recruitment of qualified personnel is a sine qua non for checkmating crimes. Hence, training should be a continuous exercise at regular intervals. Training conditions should be humane and training curricular should considerably emphasize in addition to practical police work, knowledge about the society, the importance of the policeman's community service, the meaning and use of initiative and discretion, the position of citizens as consumers of police work, the supremacy of the rule of law, the types of ethics to be internalized by policemen and the importance of the observance of human rights. For a better organization to be evolved, both the society and the Nigeria Police itself need re-orientation. The mass media may assist in this regard.

Disciplining of Erring Police Officers

Discipline is crucial to effective policing. Hence, the police, the government, National and local community need to evolve a comprehensive strategy for development and sustenance of measures for anti-corruption, transparency and accountability, in and by the Nigeria Police Force. One of such means is to promptly and fairly deal with erring officers as deterrence to the officer and his/ her colleagues. The Nigeria Police Force should also strengthen its internal disciplinary procedures by including on the force disciplinary committee, a representative from the Police Service Commission, and by making public the outcome of decisions on disciplinary matters.

Creation of a Standardized Security Databank on Security Issues

A standardized central security databank needs to be created to collect information about security issues in the country.

Less Emphasis on the Use of Force

It is also recommended that less use of force should be employed in policing. In this regard, there should be less use of guns as is obtainable in the United Kingdom. In the same light, the name of the NPF should similarly be changed to 'Nigeria Police Services' instead of Nigeria Police Force' in order to lay more emphasis on the service rendering nature of the police rather than force as is done in Canada. It is the researcher's submission that adopting the term 'service' would somehow unconsciously reshape the notion of brutality underlying our police force and enhances the much sought after community based police in Nigeria.

8. Conclusion

In conclusion, it is important to know that there is no 'quick fix' to the problem of policing. Even if all the suggestions offered could be implemented with a magic wand, they would not yield results 'overnight' as the obstacles involved have been long standing. The present government and police leadership should therefore conceptualize its policy options now, start executing these soonest and expect results in phased terms.⁶¹

⁵⁹E Gabriel, 'Governors, State Policing and Funding', available at <<https://leadership.ng/2018/02/24/governors-state-policing-funding/>>, accessed on 1/03/2019 at 11:00pm.

⁶⁰AN Ogbochie, 'Limitations of State Police in Nigeria', available at < www.mcsr.org/journal/index.php/mjss/article/download/3215/3169> accessed on 1/03/2019 at 10:00pm.

⁶¹Short, medium and long terms