

# Ethical Issues and Security Practice in Nigeria: The Aftermath of #End SARS and the Nigerian Police Force Reform Agenda

Osimen Goddy Uwa & Rufus Aisedion\*\*

Department of Political Science & International Relations Achievers University, Owo\*  
Department of Political Science, Ambrose Alli University, Ekpoma, Edo State\*\*

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**Abstract-** The personnel of official law enforcement agencies such as the Nigeria police have authorities and responsibilities that other public personnel do not. These are important powers that limit civil liberties, such as stopping, searching, asking for identification, confiscation, apprehending, using force, and interrogation. The performance of these duties has significant effects on people's quality of life, and especially on civil liberties and social life. Taking into account the degree of discretion allowed to security personnel to enforce the law, it becomes clear that there is a need for a code of professional ethics, in addition to existing legislation, in order to increase the quality of the service they provide. The paper therefore, looks at the ethical practice of the security personnel using Nigeria police Force as a case study. To understand the unruly properly, the following questions were considered; what are police ethics, 'to which security personnel do police ethics apply, 'why is a code of ethics necessary to security personnel' and how can will inject ethical conduct into security practice in Nigeria. The sources of ethical rules and their relation to police ethics, social morality and justice were also considered. The relationship between police ethics and professionalism was addressed. On the basis of empirical evidence from the field, the paper revealed cases of indiscipline and wrong doings among security personnel like; arrogance, torture, harassment, killings, intimidation, rape, extra judicial killings to mention but few. Emphasis was therefore, made on the necessity of total compliance with the code of ethics by all security personnel currently active in the field of internal security services in Nigeria.

**Index Terms-** Ethics, Ethical Conduct, Security Practice, Nigeria Police Force, Nigeria

## I. INTRODUCTION

The fundamental duty of every police officer and indeed every law enforcement official is to serve mankind; to safeguard lives and property; to protect the innocent against oppression or intimidation, and the peaceful against violence or disorder and to respect the constitutional rights of all men to liberty, equality and justice. The Nigeria Police has not possessed the capacity to do their obligations in a way which the natives of the nation will acknowledge, recognize and support. Many reports of arrogance,

torture, harassment, killings in all part of States, intimidation, rape, extra judicial killings including in the North (summary execution) and other scandalous crimes perpetrated against the same citizens they ought to protect. According to Alemika and Chukwuma (2000) and Ojukwu (2016) the Force is organized and covers 5,000 Village posts; 5,515 Police Stations; 1,115 Police divisions; 123 Area Commands; 37 Commands and the Force Headquarters(in FCT). Each of the 36 States and the Federal Capital Territory is aided by a Command of the Police Force. The Police Force Headquarters in Abuja is the office of the Inspector General of Police.

Asides of these geographical numbers and the role they are bent to perform in the society, the activities of the Nigeria police force have raised questions about its conduct and association with the ordinary people they are supposed to protect. Despite the assertions by the force that they were simply attempting to preserve law and order in the country, excessive force against unarmed demonstrators and the uneven implementation of policing led to submissions that "kill and go" or "shoot-to-kill" order have been a common slogan by the Nigerian police force. This is also applicable too in many parts of Africa countries particularly brutal to its citizens (Eme and Elekwa, 2008:4). Olonisakin (2008:20-21) explains:

The reasons for the entrenched practices of abuse, incompetence and corruption by the police across Africa are symptomatic of governance deficits in the concerned states. With decades of authoritarian rule and accompanying politics of patronage, it is to be expected that institutions responsible for security would instead be diverted to propping up various regimes. It is not surprising that out of this history has come badly paid and poorly trained police with little sense of their missions as protectors of citizens.

The Nigerian police Force have been under intense public criticisms in recent times over its apparent inability to effectively prevent and control crime. So many factors have been attributed to this failed situation. Firstly, depending on the context, the Nigerian police have historically either been neglected at the expense of a more effective and influential military establishment or they have been politicized and militarized for regime survival. Adegbamigbe et al (2008:29-30) explain as follows:

Police detention centres, except for a few, stink to high heavens. In some cases, police posted out of their stations are abandoned to sleep in classrooms or inside abandoned cars like

refugees in a war-torn country. Closely associated with lack of necessary equipment are poor office and residential accommodation which reduce the morale of an average Nigerian cop. In Lagos, policemen live and work under deplorable conditions. The odour wafting around Mobile Barracks 20 and 22 in Ikeja and Elere Barracks, Agege, is out wrenching. Occupants of these tenements struggle every morning to make use of two bathrooms and two toilets. Block 4 of Elere station with its concrete deckings falling off, revealing rusted iron rods, is a disaster waiting to happen. Occupants have, however, refused to move out for lack of alternative accommodation.

Olonisakin (2008:20) goes on to posit that, the security forces and the police have been used to repress the very people they are meant to protect. Taking the connection between governments and police conduct one step further, it has also been shown by analysts that functioning police can be seen as a good measure of police development. For example, Africa's process of political "liberalisation" has, in some instances, translated into political reform. Secondly, corruption is said to be endemic and has eaten deep into the fabric of the police in Africa. According to Okereke (1993:1), many Nigerians perceive the policemen as lazy, corrupt, inefficient, and bribe-taking, money extorting officers. A typical example usually cited in reference to the police attitude towards corruption is the "road block syndrome", in which it is alleged that the police extort money from motorists. It is also a popular allegation that because of the financial benefits associated with road block duties, lower ranks pay their way to be assigned such duties with the promise of making daily returns to their superior officers.

On the other hand the awful human rights abuses accounts for higher percentage in Nigeria, according to United States based Bureau of Democracy, Human Rights and Labour identified the most significant human rights problems as the digest of citizen's rights to change their government, politically motivated and extra judicial killings by security forces, the use of excessive force including torture by security forces, vigilante killings, impunity for abuses by security forces, arbitrary arrest and prolonged pretrial detention among others (Adejuwon, 2009:21).

Police violence or charges of police brutality are topical issues in our society as witness in the year 2020 'The #End SARS Narrative in Nigeria. This has provoked questions why cases of police brutality dominate the headlines in our national dailies. Is police violence against citizens that pervasive? Or does police brutality receive so much attention because it is so repugnant to our concept of order under law? In addition, this paper also trying to provide answers to the following questions such as 'what are police ethics,' 'to which security personnel do police ethics apply,' and 'why is a code of ethics necessary' also considered. The paper will also address the sources of ethical rules and their relation to police ethics, social morality and religious beliefs. Finally, the relationship between police ethics and professionalism will be addressed. Emphasis will be made on the necessity of compliance with the code of ethics by all full-time official and private security personnel currently active in the field of internal security services.

### Conceptualization of Security

The meaning of security has been generating a great debate among scholars in recent time. The experience of the world in recent time emphasizes a paradigm shift in security discourse.

Traditionally, the State is the custodian and ultimate beneficiary of the monopoly use of violence as advocated by Max Weber. Any internal or external threat to challenging the authority of the State in monopolizing violence was considered as a security threat (Monsuru, 2014). A layman definition of security is the protection of life and property of a person. The concept of security has undergone a transition from traditional conceptualization to a non-traditional meaning, traditionally; security management was the unilateral function of the state especially if we consider the intellectual view(s) of some political theorists like Thomas Hobbes who argued that the essence of a state is to provide law and order, which are attained through (effective) security management.

However, in an attempt by the state to actualize the purpose of its creation (through social contract), it has found it necessary to acquire legitimate use of force (violence). This idea has made security issue a function of effective monopoly of violence, which the state applies to engender strict conformity and complaisance to state laws by the peoples for effective security management. But, in contemporary time, definition of security goes beyond the traditional military ways of protecting the state against internal and external aggression. On the question of definition of the term security, it is not a mischief to say that there are various definitions of the term (security) without any consensus among scholars in their conceptualization. And thus, to some, security can be defined as:

*an all-encompassing condition in which individual citizens live in freedom, peace and safety; participate fully in the process of governance; Enjoy the protection of fundamental rights; have Access to resources and the basic necessities of life; And inhabit an environment which is not detrimental to their health and wellbeing (see South Africa White Paper on Defence, 1996).*

Not only in terms of the internal security of the State, but also in terms of secure systems of Food health, money and trade. To begin with, it is worth defining what is actually meant by the term 'security'. Neither security – nor its opposite, insecurity – are objective or measurable feelings; they are, as Wood and Shearing (2007) argue, 'imagined'. 'Security' is used to cover a much wider range of conditions than the most salient examples relating to crime. It is used in international relations, and in relation to welfare payments. In French, *sécurité* is used even more broadly, indicating safety as well as security in the English sense. Security is also a 'natural' process. There are many examples in the natural world of animals, plants and even viruses developing security tactics by pursuing certain behaviours or even by building security structures Robert & Gion (2004). . Possibly the best capture of the essence of security is by Zedner (2003b: 155, cited in Wood and Shearing, 2007: 4). Security is both a state of being and a means to that end. As a state of being, security suggests two quite distinct objective and subjective conditions. And as an objective condition, it takes a number of possible forms. First, it is the condition of being without threat: the hypothetical state of absolute security. Secondly, it is defined by the neutralization of threats: the state of 'being protected from'. Thirdly, it is a form of avoidance or non-exposure to danger. As a subjective condition, security again suggests both the positive condition of feeling safe, and freedom from anxiety or apprehension defined negatively by reference to insecurity. Security implies a stable, relatively predictable environment in which an individual or group may

pursue its ends without disruption or harm and without fear of disturbance or injury Robert & Gion (2004). It is also important to recognise the growing body of work that sees security in a much broader framework, as ‘human security’ (Commission on Human Security, 2003). The UN Commission examined a wide range of insecurities based in legal, environmental, economic, educational and health contexts as well as in ‘traditional’ security areas and explored their links to one another. As Kofi Annan argue that: *human security in its broadest sense embraces far more than the absence of violent conflict. It encompasses human rights, good governance, and access to good education and healthcare and ensuring each individual has opportunities and choices to fulfill his or her own potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear and the freedom of future generations to inherit a healthy natural environment – these are the interrelated building blocks of human, and therefore national, security. (Commission on Human Security, 2003: 4)*

Industrial Security management can be defined from various perspectives depending on whom and what is actually involved. Generally, it is regarded as deliberate activities to satisfy the need, to ensure the absence of danger and wary, and to prevent unacceptable loss and danger to corporate assets (tangible and intangible), so as to enhance business profitability. In this sense, industrial security entails awareness, avoidance, planning, protection, preservation, alarm, deterrence and reaction.

### Conceptualisation of Ethics in Security Practice

Ethics is a mass of moral principles or sets of values about what conduct should be or not to be. It may be specified by a written and unwritten set of codes or principles governing a profession (Steiner, 1975). Ethics, also known as moral philosophy, is a branch of philosophy concerned with the study of questions of right and wrong and how we ought to live. It is in this regard that Peter Singer (1995:174) wrote that:

*To live ethically is to think about things beyond one’s own interests. When I think ethically I become just one being, with needs and desires of my own, certainly, but living among others who also have needs and desires.*

Ethics involves making moral judgments about what is right or wrong, good or bad. Right and wrong are qualities or moral judgments we assign to actions and conduct. Within the study of ethics, there are three branches: metaethics, concerned with methods, language, logical structure, and the reasoning used in the interpretation of ethical terms, for example, what exactly does the term “good” mean; normative ethics, concerned with ways of behaving and standards of conduct; and applied ethics, concerned with solving practical moral problems as they arise, particularly in the professions, such as medicine and law. Ethics provides us with a way to make moral choices when we are uncertain about what to do in a situation involving moral issues. In the process of everyday life, moral rules are desirable, not because they express absolute truth, but because they are generally reliable guides for normal circumstances (Singer 1995: 175).

“Ethics are moral standards that help guide behaviour, actions, and choices. Ethics are grounded in the notion of responsibility (as free moral agents, individuals, organizations, and societies are responsible for the actions that they take) and

accountability (individuals, organizations, and society should be held accountable to others for the consequences of their actions). In most societies, a system of laws codifies the most significant ethical standards and provides a mechanism for holding people, organizations, and even governments accountable:

James Gilbert (1988) in his articles “Investigative Ethics: *defined ethics as the practical, normative study of the rightness and wrongness of human conduct. He says that all human conduct can be viewed in the context of basic and applied ethical considerations. Basic ethics are the rather broad moral principles that govern all conduct while applied ethics focuses these broad principles upon specific applications. For example, a basic ethical tenet assumes that lying is wrong. Applied ethics would examine and govern under what conditions such a wrong would indeed take place. Gilbert concludes that the ethical dilemmas which face our police will not disappear as the world becomes more sophisticated and technological. On the contrary, such developments only widen the gap between professional behaviour and possible unethical actions.*

Security ethics is therefore directly related to the conduct of security practitioners. It is concerned essentially with the impacts of security decisions on people, within and without the organisation individually and collectively, in communities and other groups. Ethical behaviour is a conduct that is considered fair or just, measured by ethical rules, and which must be obedient to valid government laws and regulations. The argument further goes that security practitioners are human beings with ethical values that cannot be separate from their normal organisational lives. Therefore more and more security decisions should cover ethical and moral issues. This is in spite of the basic fact that broad ethical norms are fuzzy, there are rarely detailed rules of conduct; and where they exist, and they are found to be contradictory and sometimes confusing. In any case, Nigeria Security practitioners should be more ethical in their conducts and this conforms to the assertion that, a morally responsible security in particular situation that has clear idea of what values hold, ascendance over others in practice.

### Definition of “The Police”

The Police essentially “describe agents of the state whose official function is maintenance of law and order, and enforcement of the regular criminal Code”. (Obarisiagbon, 1999: 96). Thus, the police is a citizen’s first link with the Criminal Justice System, and in many ways the most important one. Every member of the police force irrespective of his rank is first and foremost a “police officer”. All the officers perform certain duties according to their specialization and as it been conferred on them by the constitution. The creation of ranks in the force was to make it a disciplined and functional institution, which has been taken care of by the command structure. Ranks differential in the Police also assigned officers to different responsibilities. When a crime occurs, the police are usually the first agency of the state to become involved. However, in most countries of the world (Nigeria inclusive) the police evoke contrasting images ranging from the heroic to the hated and feared.

### Purpose of Security

Security can be conceptualized around the five Ds (Purpura, 2002: 189–190).

- a. Deter. The mere presence of physical security can dissuade offenders from committing criminal acts. The impact of physical security can be enhanced through an aura of security. An aura is a distinctive atmosphere surrounding something. Supportive management and security personnel should work to produce a professional security image. They should remain mum on such topics as the number and types of intrusion detection sensors on the premises and security system weaknesses. Security patrols should be unpredictable and never routine. Signs help to project an aura of security by stating, for example: PREMISES PROTECTED BY HIGH-TECH REDUNDANT SECURITY. Such signs can be placed along a perimeter and near openings to buildings. The aura of security strives to produce a strong psychological deterrent so offenders will consider the success of a crime to be unlikely. It is important to note that no guarantees come with deterrence. (Criminal justice policies are in serious trouble because deterrence is faulty; criminals continue to commit crimes even while facing long sentences.) In the security realm, deterrence must be backed up with the following four “Ds.”
- b. Detect: Offenders should be detected and their location pinpointed as soon as they step onto the premises or commit a violation on the premises. This can be accomplished through observation, CCTV, intrusion sensors, duress alarms, weapons screenings, protective dogs, and hotlines.
- c. Delay: Security is often measured by the time it takes to get through it. Redundant (e.g., two fences; two types of intrusion sensors) and layered (e.g., perimeter fence, strong doors at buildings) security creates a time delay. Thus, the offender may become frustrated and decide to depart or the delay may provide time for a response force to arrive to make an apprehension.
- d. Deny: Strong physical security, often called “target hardening,” can deny access. A steel door and a safe are examples. Frequent bank deposits of cash and other valuables extend the opportunity to deny the offender success.
- e. Destroy: When you believe your life or another does will be taken, you are legally permitted to use deadly force. An asset (e.g., proprietary information on a computer disk) may require destruction before it falls into the wrong hands.

### Evolution of the Nigerian Police

The Nigeria police are a product of colonial administration. It was consular guard formed in 1861 in Lagos that gave birth to Nigeria police. The consular guard later transformed into the Hausa constabulary in 1879. In 1888, the North of the Niger, the Royal Niger Company set up a constabulary in Lokoja, it was followed by Niger coast constabulary formed in 1894 in Calabar. After Lagos police was established in 1896. After the formation of the North and South both the Royal Niger Company constabulary and Niger coast constabulary merged with the North and Southern Nigeria police respectively. In 1930, Northern and Southern police were merged to form Nigeria Police force with Lagos as the

headquarters while the Nigeria police Act was enacted in 1943 by the British Colonial government.

Before the Northern and Southern protectorate were merged in 1930, there traditional police such as dogari from the Northern emirate, Ilari, Emese and Agunren in the Yoruba kingdom. The colonial administration allowed the creation of Native Authority (NA) police in the North and West as a product of the developing influence of the indirect rule. In the east, the British extended its existing fostered police forces over the territory because the Igbo have decentralized traditional community system. In 1906, the colony and protectorate of Lagos was merged with the protectorate of Southern Nigeria. While in 1914 the colony and protectorate of Southern Nigeria and the protectorate of Northern Nigeria were merged to form the colony and protectorate of Nigeria. It was in 1930, the Southern and Northern Police force which have remained separated merged. On 1st April 1930 came the emergence of the Nigeria Police force with headquarters in Lagos. The first Inspector – General of the formed Nigeria Police was Duncan. He has headed various British police establishments outside Nigeria before his appointment.

After 1930 the organizational structure and the nomenclature of the police rank changed in response to the circumstances of colonial administration. Following the Macpherson constitution 1951 and Littleton constitution 1954 by which Nigeria developed into a federation, the Nigeria police was reformed to conform to the political order. A contingent of the police under a commissioner of police was established for each of the regions. The 1960 constitution established the Nigeria police force as a federal force charged with responsibility of maintenance of law and order throughout Nigeria. However, the constitution did not prevent the regions from establishing their own local police forces. Hence the North retained the Native Authority police and the West, the local Government Authority police. The dual system of policing involving multiplicity of local forces and a national police force continued until 1966. In 1966, major – General J.T.U Aguyi – Ironsi emerged as the Head of the military Government. He established a working party to examine among other issues, the unification of the police force. The recommendation of the working party was accepted which led to current Nigeria police force. In mid-1980 plans were announced to expand the force to 200,000. By 1983, according to the federal budget, the strength of the NPF was almost 152,000, but other sources estimated it to be between 20,000 and 80,000. As at 1983, there were more than 1,300 police stations nationwide. Police officers were not usually armed but were issued weapons when required for specific missions or circumstances. They were often deployed throughout the country, but in 1989 General Gbadamosi Babangida, the then military head of state announced that a larger number of officers would be posted to their native areas to facilitate police - community relations.

### Structure of the Nigerian Police Force

As outlined in Section 214 of the 1999 constitution of the Federal Republic of Nigeria, the Nigerian Police Force is a Federal Police Force based on Nigerian Constitution, 1999, section 214. State and Local government are not permitted to establish their own Police Force. The NPF is headed by an Inspector of Police (IGP) (CLEEN 9th July 2008, Nigeria 1999 sec. 215), who is appointed by the country’s president, after consultations with the

Nigeria Police Council. A Deputy Inspector General, is second in command (World Encyclopaedia of Police and Corrections system 2006:700), assists the IGP in his or her work. Assistant Inspector Generals are responsible for supervising staff operations in the various departments at the NPF Lagos base Headquarters. NPF police commands within each state are under the authority of the commissioner of police (Nigeria 1999, sec 215). The 2006 edition of the World Encyclopaedia of Police Forces and Correctional Systems provides in the following lists of the 17 ranks in the NPF, from highest to lowest rank:

Inspector General, Deputy Inspector General, Assistant Inspector General, Commissioner of Police, Deputy Commissioner, Assistant Commissioner, Chief Superintendent, Superintendent, Deputy Superintendent, Assistant superintendent, Chief Inspector, Inspector, Sergeant Major, Sergeants, Corporal, Constables, Recruits.

The NPF is divided into 12 zones. Each zone reportedly has between two and four state commands as well as a series of area commands, divisions, police stations, and police posts under these commands.

### Police and Crime

Ordinarily, to the average Nigerian citizen, police duties are simply to apprehend law breakers and prevent crime. This view about the police is a limited perception when viewed against the background of their operations in other developed countries of the world. For example in developed countries like the USA, Germany, Canada, United Kingdom (UK), Spain, Netherlands to mention but a few, police response ranged from the following: Mediating in family disputes, to providing emergency first aid services etc. These are indications that outside crime-related calls they take on those services. But in Nigeria, it is the crime-related function that provides the critical events in the life of a policeman and that makes police behaviour a major political issue.

However, Section 4 of the "Police Act" (1990) as well as section 214 of the 1999 constitution of the Federal Republic of Nigeria spells out clearly the cardinal objectives and aims of the police force. These are:

Prevention and detection of crime, ii. Apprehension of Offenders, iii. Preservation of Law and Order, iv. Protection of lives and properties, v. Enforcement of all laws and regulations made by the Federal and, vi. State Governments, cum bye-laws made by Local Government, vii. Councils, viii. These and others form the basic functions of the police as the subject of the next sub-unit.

### The Roles of the Police Force

The Nigeria Police Force is created by law to maintain law and order in the society. Section 24 creates the Nigeria Police Force. The Police have authority to arrest suspected criminals. It also has the power to search. It prevents crimes in the society. It can also grant bail whenever the need arises. It has the power to institute and conduct criminal proceedings. There are basically three traditional functions that police play in society. The most important is law enforcement, followed by order maintenance and service related duties.

Law Enforcement: This function empowers the police to stop, question, detain, and arrest people who violate the law. This power range from apprehending traffic violators to apprehending

persons suspected of committing serious felonies, which apprehension may involve the use of deadly force. The police also investigate crimes and collect and preserve evidence for criminal trials.

Order Maintenance: This function empowers the police to prevent social disorder; and by social disorder is meant behaviour that either disturbs or threatens to disturb the public peace or that involves face – to – face conflict among two or more persons. (Wilson, 1983). It is further maintained, that it is important that the police rather than some other professionals responds to such problems because they may result in violence

Service Related Duties of Nigerian Police Force: Apart from Law enforcement and order maintenance, the police are also involved in providing other service related duties such as to:

- Prevent, investigate and detect crimes;
- Apprehend offenders,
- protect life and property of citizens,
- preserve law and order,
- Maintain peace and order
- Enforce all laws and regulations with which they are directly charged and perform military duties (section 4, Police Act)

In consonance with these duties, the Nigerian police are empowered to prosecute suspects, arrest suspects with or without warrant depending on the nature and circumstances of crime, serve summons issued by courts, grant bail to suspects pending appearance in courts, search and seize property believed to have been stolen or used to commit crimes, and regulate public assembly and procession etc.

Preventive Role: Preventive measures are employed by the police to forestall or reduce the opportunity or avenue for committing crime. This is in appreciation of the fact that it is cheaper to prevent crime than to detect it. The methods usually employed include:

- Feasible operational method of checking the menace of criminals;
- Surveillance on building and suspected criminal individuals.
- This method affords the police the Motorized patrol and foot patrols, including highway and border patrols. This remains the most opportunity to collate intelligence on criminals;
- Cultivation of information. Information is the key to all policing functional activities. There is need to continuously gather intelligence reports about criminal individuals and associates, receivers of loots, operational hideouts, targets, and mode of operations. Information is vital and investigation must regard everyone they come in contact with as a potential source of information. Information received through this medium is useful in planning strategies to combat crime. Cultivating informers is an essential part of police duty and this is achieved by building relationship as well as developing rapport with members of the public with good intention to assist the police, criminals in police custody and victims of criminal activities.

## The Nature of Policing in Nigeria

Historically, the police have had greater responsibility for enforcing the peace than for law enforcement. It was their function to handle riots and other civil disturbance; to regulate street behaviour and to inspect bars, liquor stores and other businesses requiring licensing etc. all these numerous responsibilities made it usually difficult for the police to effectively police society. Thus, the nature of policing the world over entails the following; the:

- i. Deployment of its personnel to patrol strategic roads, quarters and other parts of towns and cities to maintain law and order.
- ii. Utilization of various crime prevention tactics like stake-outs, decoys and night patrols, whenever necessary in vulnerable areas. (Omoyibo, 2010).
- iii. Maximization of police presence and use of aggressive anticrime patrols especially at night whenever necessary.
- iv. Imposition of curfews in certain strategic and crime infested parts of cities and towns whenever necessary.
- v. Ordinary private citizen is relied upon for information to enable the police go to scenes of crime to investigate and make arrest where necessary Police investigate most cases of alleged criminal behaviours and make appropriate recommendations to the various ministries of justice for further determination of trials in courts of law whenever necessary.

## Nigeria Police Code of Conduct /Qualities of Good Security Officer

Police officers in determining what is right and proper in all their actions, the code should set an outline which every member of the Force can easily understand. It will enable Policemen to know what type of conduct by a Police officer is right and what is wrong. The code will encompass the following:

**Primary Responsibilities of a Police Officer** – A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the rights of all to liberty, equality and justice;

**Performance of duties as a police officer** – a police officer shall perform all duties impartially, without favor of affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity. Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves both in appearance and composure, in such a manner as to inspire confidence and respect for the position of public trust they hold.

**Discretion** - a Police officer will use responsibly, the discretion vested in his position and exercise it within the law.

**Use of Force** – a police officer will never employ unnecessary force or violence and will use only such force in

discharge of duty, as is reasonable in all circumstances. The use of force should be used only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

**Confidentiality** – Whatever a police officer sees, hears or learns which is of a confidential nature, will be kept secret unless the performance of duty or legal provision requires otherwise. Members of the public

Have a right to security and privacy, and information obtained about them must not be improperly divulged

**Integrity** – a police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must therefore, avoid any conduct that might compromise integrity and that undercut the confidence reposed by the public, in the Police. Officers will refuse to accept any gifts, presents, subscriptions, favours, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated. Cooperation with other Police Officers and Agencies – Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assists colleagues fully and completely with respect and consideration at all times; **Personal Professional Capabilities** - Police Officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level or knowledge and competence. Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never ending process of personal and professional development that should be pursued constantly;

**Private Life** – Police officers will behave in a manner that does not bring discredit to the Force or themselves. A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

## Police Officer Required Standard Acts

**Principle One** – Police officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the Federal Republic of Nigeria and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

- Police officers shall not knowingly exceed their authority in the enforcement of the law;
- Police officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants and preservation of evidence;

- Police officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitution and laws of the Federal Republic of Nigeria;
- Police officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the Federal Republic of Nigeria or any state or local jurisdiction in which the officer is present, except where permitted in the performance of duty under proper authority.

**Principle Two** - Police officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

- Police officers shall carry out their duties with integrity, fairness and impartiality.
- Police officers shall take no action knowing it will violate the constitutional rights of any person.
- Police officers must obey lawful orders, but must refuse to obey any orders the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order, the officer shall, if feasible, request the issuing officer to clarify the order.

An officer refusing to obey an order shall be required to justify his or her actions.

**Principle Three** - Police officers shall perform their duties and apply the law impartially and without prejudice or discrimination.

- Police officers shall provide every person in our society with professional, effective and efficient law enforcement services.
- Police officers shall not allow their law enforcement decisions to be influenced by race, religion, or any other sentiment whatsoever.

**Principle Four** - Police officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or the Force or otherwise impairs their ability or that of other officers or the Force to provide law enforcement services to the community.

- Police officers shall not consume alcoholic beverages or chemical substances, while on duty, except as permitted in the performance of official duties, and under no circumstances while in uniform, except as otherwise exclusively permitted by an enabling authority;
- Police officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A police officer shall not report for work with the odour of an alcoholic beverage on the officer's breath.
- Police officers shall not commit any acts which constitute sexual assault or indecent exposure. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
- Police officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or the Force.

This rule does not prohibit those associations that are necessary to the performance of official duties, or where such associations are unavoidable because of the officer's personal or family relationships.

**Principle Five** - Police officers shall treat all members of the public courteously and with respect.

- Police officers shall exercise reasonable courtesy in their dealings with the public, fellow officers, superiors and subordinates.
- No police officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
- Police officers shall promptly advise any inquiring citizen of the Department's complaint procedure, and shall follow the established departmental policy for processing complaints.

**Principle Six** - police officers shall not compromise their integrity or that of the Force, by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments, or by using their status as a police officer for personal, commercial, or political gain.

- Police officers shall not use their official position, identification cards: (1) for personal or financial gain, for themselves or another person; (2) for obtaining privileges not otherwise available to them except in the performance of duty; and (3) for avoiding consequences of unlawful or prohibited actions.
- Police officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the Inspector-General of Police except as required by Supervising Government Ministries or for recognized public services.
- Police officers shall refuse favors or gratuities which could be reasonably interpreted as capable of influencing official acts or judgments.
- Police officers shall:

*..not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of the Force in connection with advertisements for any product, commodity or commercial enterprise; maintain a neutral position with regard to the merits of any labour dispute, political protest, or other public demonstration while acting in an official capacity; nor make endorsements of political candidates, while on duty, or in official uniform (Nigerian constitution, 1999).*

**Principle Seven** - police officers shall not compromise their integrity, or that of their Force, by taking or attempting to influence actions when a conflict of interest exists.

- Police officers shall, unless required by law or policy, refrain from becoming involved in official matters, or influencing actions of other police officers in official matters, impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship;

- Police officers shall, unless required by law or policy, refrain from acting or influencing official actions of other police officers in official matters impacting persons with whom the officer has or has had a private relationship.
- Police officers shall not use the authority of their position as police officers or information available to them due to their status as police officers, for any purpose of personal gain including, but not limited to, initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.
- Police officers shall not engage in any off duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.

**Principle Eight** - Police officers shall observe the confidentiality of information available to them due to their status as police officers.

- Police officers shall not knowingly violate any legal restriction for the release or dissemination of information.
- Police officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants;
- Police officers shall not divulge the identity of persons giving confidential information except as required by law or Force policy

### Issues and Challenges on Nigerian Police Force

With all these mechanisms of accountability the police still fall short of their expected efficiency and conduct in these areas as highlighted by Alemika 1997, 1998, Osoba 1994 and Balogun 2003:

Inadequate manpower, both in terms of quantity but more especially of quality; Inadequate funding; Poor crime and operational information management, including inaccurate recording and collation, poor storage and retrieval, inadequate analysis and infrequent publication of criminal statistics; Poor remuneration and general condition of service; Inadequate initial and on the job training and deficient syllabi which places too much emphasis on law enforcement and order without adequate liberal and broad training that can illuminate the nature and sources of law and criminality; Poor resource management; Inadequate logistic, arms and ammunition, uniform and accoutrement, telecommunication and transportation facilities – both in terms of quality and quantity; Inadequate office and residential accommodation; Inhuman conditions under which suspects are held in police cells; Unhygienic working environment; Limited contacts or relationship with the citizens outside law enforcement and order maintenance functions; Low commitment; Indiscipline and involvement in crime or collusion with criminals; Lack of integrity; Perversion of the course (i.e. procuring and supplying false evidence tampering with exhibit and false accusations); Poor knowledge of law and disregard for human rights; Corruption and extortion; Brutality (Alemika 1997, Arase, & Iwuofor, 2005).

## II. SOURCES OF SECURITY ETHICS

There are five principal repositories of values influencing security practitioners and managers according to Darlington, (2014) the following are outline as sources of security ethics; religious, philosophical, cultural, legal and professional codes systems.

**Religious System:** Most fundamental perception or conception of what is right or wrong in life is rooted in biblical morality. The society believes that moral values are of divine atheistic origin and often rest on atheistic foundation. Most religions in their tenets emphasise that, the social responsibilities of people is to act in such a way as to contribute to the welfare of the society. Alternatively, men should not act to harm it (i.e. society) in any way.

**Philosophical System:** An important source of ethical conduct come from the views of great thinkers like Plato, Socrates, Aristotle, etc. all these men had a great deal to say about ethics. For example, Aristotle laid down the Golden Rule:

*"we should behave to friends as we would wish them to behave to us". Immanuel Kant (1724-1804) tried to find universal Laws of morality to guide men's conduct. Jeremy Bentham (1749-1832) developed a utilitarian system as a guide to ethics. This concept was perfected by John Stuart Mill, David Hume and John Locke in the nineteenth century. These great philosophers did develop standards of ethics, and their beliefs are measures of ethical standards in contemporary society.*

**Cultural System:** The socio-cultural dimension includes the customs, norms, beliefs and values which characterise the environment in which the societal practitioner and organisations operate. These cultural factors have the dominant ethics of preserving the social system. Appropriate standard of security practice/conduct vary across cultures.

**Legal System:** The law is a confiscation of customs, ideas, beliefs, and ethical standards which society wishes to preserve and enforce. A web of law, regulations and court decisions encircles every security practitioner and manager. Some are designed to protect workers and consumers. Others are designed to make contracts enforceable and to protect property rights. Many are designed to regulate the behaviour of security managers and their subordinates in organisations. There is relatively little that a security manager can do in any organisation that is not in some way concerned with, and often specially controlled by a law or regulation. The law cannot cover all ethical conducts It has been observed to the dismay of security managers and organisations that the legal and legislative environment is confusing and full of loopholes, when it comes to interpretation, and ambiguous where two or more bodies are directly involved in the enforcement of any law, the internal jurisdictional questions have to be resolved first. Often this resolution takes time. These legal interpretations, ambiguities and bureaucratic entanglements usually make it very difficult for our security managers to know exactly what course to take or what decision to make. Also, some security practitioners and managers have taken advantage of these loopholes to engage in unethical practices.

### Standards of Ethical Conduct

1. Security employees are habitually courteous and attentive to those seeking assistance, reporting conditions, or lodging complaints.

2. Security employees are punctual and expeditious in the discharge of their duties.

3. Security employees conduct themselves in a just and objective manner, treating all with equal reasonableness.

4. Security employees consistently exhibit a spirit of cooperation with all and do not allow personal feelings to interfere with their work.

5. Security employees conduct their personal and business life in an exemplary fashion that is above reproach in terms of stability, fidelity, and morality.

6. Security employees have a cheerful and positive approach to their work. Today these standards may sound idealistic if not old-fashioned, but if they are adopted and followed the end results will have a favourable impact on a department's reputation.

### General Professional Ethics for Security Personnel

Some of the general professional ethics according to Omoyibo (2010) are:

- a. Suspicion: the different purposes and activities of different profession generate differences in required character. For instance, it is because the police and other security personnel must track down and arrest criminals that police officers need to have a disposition to be suspicious of every happening in his environment.
- b. Physically Courageous: This is necessary for law enforcement/security personnel, but not for academics, accountants, or most of the rest of us. Fitness and to be daring is very fundamental to their operation.
- c. Patience: This is required because task may be long and tedious. Also, investigation may take time while waiting to apprehend suspect.
- d. Power of Observation: This ethics is also tied to having a very sound memory. It enables the law enforcement/ security officer to jot down all events, description or contacts, of times as they occur.
- e. Alertness: This combines effectively with resourcefulness. This is because no matter how much planning that is done before you conduct surveillance; you are likely to come across unanticipated occurrences. Others include the ability of the law enforcement/security personnel to act rationally under all circumstance as if he/she belongs at the scene of crime, he/she must be able to adapt to any environment. Here he/she must be flexible and clever. Also he or she must be able to act promptly under any circumstance.

### Nigeria Police Force versus Social Justice

The two concepts have been consistently and constantly interchanged in terms of usage by both scholars and non-scholars alike. Thus for the purpose of academic convenience and analysis, it is important for the witness to draw out the basic distinctions between both terms. From the preceding definition of social justice, it was established that 'social justice' is based more on

moral principles with a strict consideration that is socially necessary, Omoyibo (2010). However, since state exist not to enforce morals but to enforce what is socially expedient (law), it is still conveniently practicable that most states enforce both morals and law in order to make society possible and at the same time to make good individual for the purpose of development.

On the other hand, Fundamental Human Rights are strictly constitutional issues or matters of legality. For instance, the 1999 Constitution provides a detailed chapter on the fundamental rights of individual. The Fundamental Human rights guaranteed under the 1999 Constitution of Nigeria contained several provisions for protecting the fundamental rights of the citizens. The 1979 Constitution being formerly the supreme or fundamental law of the land was binding on government and individuals alike. Thus, while a violation of fundamental human rights could be enforceable in the law courts, social justice issues are in most cases not justifiable. For instance, social justice emphasizes issues like equality of all individuals in society. Strictly speaking, such issues are moral issues. In other words, the sphere of 'social justice' is more elaborate amorphous, and unlimited as it encompass all issues of fundamental human rights as well as issues that are controlled or enunciated by public policy enactments.

### Stages in Criminal Justice System

Although, there are constant violations of those rules by the agencies; the implications are; the impairment of the defendant's rights; and the denting of the image of the country's criminal justice system (Omoyibo, 2010). There are about thirteen (13) procedures/stages of the criminal justice system. These are taken in the order of sequence.

- 1) Investigation prior to arrest: This is a procedure the police adopt on receiving a complaint or when they are witnesses to a crime. This is done by interviewing witnesses in order to obtain information that lead to an arrest.
- 2) Arrest: When a person is arrested, he or she is taken into custody (usually to the police station) and formally charged with a crime.
- 3) Booking: This involves the recoding of information relevant to the crime as well as the personal
- 4) Information (socio-demographic) of suspects such as name of suspect, location, age, time and purpose of arrest.
- 5) Initial Appearance: This is a statutory requirement by the Nigerian Constitution that after arrest, a suspect must be taken quickly (within 48 hours) before a court of competent jurisdiction for initial appearance.
- 6) Preliminary Hearing: Here, the government evidence is considered. At this stage the Magistrate and Trial judge may dismiss the charges or hand the suspect over to the prosecutor for information. The Judge and Magistrate may grant bail or set the amount or refuse bail or other forms of release.
- 7) Information: This is a legal document sufficient to send a suspect to trial.
- 8) Arraignment: After information is secured, the suspect must appear before a court of competent jurisdiction for an arraignment. Here, the defendant may enter a plea.
- 9) Reduction of Charges: At any stages in the Criminal Justice System the prosecutor may drop charges or the judge may dismiss cases.

- 10) Trial: If the case is not dismissed along the line or the defendant does not plead guilty, the case is set for trial.
- 11) Sentencing: Following a guilty plea by the defendant, or when the defendant is found guilty as charged at the trial, the judge enters a judgment or conviction and sentences the accused accordingly.
- 12) Appeals and Remedies: Defendants may have legal grounds on which to appeal their convictions to the appellate court. Defendant may also challenge their confinement through various post confinement remedies such as —habeas corpus – which is a challenge on constitutional ground to legality of detention.
- 13) Incarceration: Convicted persons are incarcerated in prisons or other facilities in Nigeria.
- 14) Release from the System: When a conviction is secured and a defendant is incarcerated in a prison, such a person must be released upon completion of the sentence.

### III. NIGERIA POLICE FORCE AND HUMAN RIGHTS ABUSE

Policemen have probably been the targets of negative responses from citizens from nearly the beginning of organized law enforcement. In Nigeria, the constitution guarantees individual freedom, therefore in the eyes of many, the less the police intrude into their personal affairs, the better people have been antagonistic to the police for various justifiable reasons, may have attributed police functions to oppression of the poor by the rich with active connivance of the police. The use of the police by the strong to change the course of justice against the weak is rampant, Aina (2013). The police are too ready to be used for various illegal or questionable enforcement procedures. The use of the police by repressive governments especially during the military era further shows the negative use of police powers. Government security forces were implicated in various human rights violations with regard to the Boko Haram insurgency. The large number of troops deployed to enforce the state of emergency engaged in the indiscriminate arrest, detention, torture, and extra-judicial killing of those suspected to be supporters or members of the Islamist group. Security forces razed and burned homes and properties in communities thought to harbor Boko Haram fighters. In Baga, a town in Borno state, Nigerian troops destroyed more than 2,000 buildings and allegedly killed scores of people, apparently in retaliation for the killing of a soldier by Boko Haram. The authorities have yet to bring anyone to justice for these crimes. The Nigerian police have also been involved in frequent human rights violations; include extrajudicial killings, torture, arbitrary arrests, and extortion-related abuses. Despite the dismantling of many road blocks by the inspector general of police, corruption in the police force remains a serious problem. The police routinely solicit bribes from victims to investigate crimes and from suspects to drop investigations. Senior police officials embezzle or mismanage police funds, often demanding monetary returns that their subordinates extort from the public. The law as we have seen above specifies for main responsibilities of the police, these are:

1. Prevention and detection of crime.
2. The preservation of law and order.
3. The protection of life and property and Due enforcement of all laws and regulations with which they are directly charged. They may also perform military duties within and outside Nigeria

wherever they are required to do so. The pursuit of their duties and exercise of their powers have been over the years been abused so grossly that it has overshadowed their original responsibilities.

### Police Killings

Allegations of summary killings against the police in Nigeria is widespread while some occur at Police check points and during patrol duty, others are committed in cold blood at police stations or during torture and interrogation of suspects. There are many sensational cases like the case of Dele Udoh a popular athlete who was murdered by the police at a check point in 1981, there was The killing of six persons at Apo Village, Abuja popularly called the Apo six, University students have been killed randomly for one reason or the other, the list is unending in its 1990 report on Human Rights in Nigeria, the Civil Liberties Organization (CLO) notes that the year \_witnessed horrible cases of police abuse of citizens several reports of police killings, many of which occurred while the victims were in custody. There are also reported cases of massacre in warrior parts of the country by the, police ( Aina ,2013). A good of these killings is Six Igbo traders who were killed or murdered by Nigerian police at Apo Mechanic Village in Abuja in early June, according to (All Africa.com reports, 2012). Police claimed that the traders were armed robbers, but an investigation revealed that the handmade pistols found on the victims were planted by the police who shot them. Since then, a policeman, Anthony Idahi, has also been killed on suspicion that he leaked information about the murders. Assistant Superintendent of Police Nicholas Zakaria denied that allegation, claiming that Idahi died of an undiagnosed disease. Danjuma Ibrahim, deputy commissioner of police, who was allegedly responsible for the killings, challenged the legality of the charges brought against him by Deputy Inspector General of Police Mike Okiro. Ibrahim said that only the attorney general is empowered to prosecute him; the legal proceedings have been brought to a standstill by this policy question. These killings are totally unjustified, illegal, unconstitutional and gross abuse of power. The constitution of Nigeria guarantees the right to life and nobody is allowed to take another person's life without any just cause, (See Section. 33(1)).

### Unnecessary Torture

The police in their pursuit of so called investigation find it easier to employ torture as a quick way of extracting information from suspects. Those are wide ranging, from the studies and investigations of human rights groups in Nigeria, these include, beatings, hanging, applying electric shocks, corporal punishments, using hardened criminals to inflict the torture on innocent people etc. these action is unconstitutional, barbaric and ought to be stopped. S. 34(1) of the constitution provides every individual is entitled to respect of the dignity of his person, and accordingly. No person shall be subjected to torture or to inhuman or degrading treatment (Aina, 2013). Though the use of torture to extract information from suspects by the police is illegal, yet it seems that the practice continues inedited and the only justification by the police is that there is no other means of obtaining the information and sadly, there is no machinery in place within the police system or outside it to step the abuse of fundamental rights of citizens by the police.

According to report by Amnesty International on the 22nd of September, 2016; Nigeria Special police squad gets rich torturing detainees and demanding bribes in exchange for freedom. It was reported that Nigerian police unit set up to combat crimes of torturing detainees in its custody as a means of extracting confession and lucrative bribes. It was further gathered by the Human Rights campaign group in the damning of a report published by a former detainee said and "I was subjected to horrific torture methods, including hanging, starvation, beatings, shootings and mock executions, at the hands of corrupt officers within the Special Anti- Robbery Squad (SARS). The report also gathered testimonies that some police officers in the SARS regularly demand bribes, steal and extort money from suspected criminals and their families.

Amnesty's report also reveals SARS detainees are held in variety of locations, including a grin detentions centre in Abuja known as 'Abattoir' where Amnesty found 130 detainees living in overcrowded cells.

### **Unlawful Arrests**

Although the law permits the police to arrest without a warrant under specified conditions, the police enjoy abusing this power deliberately and arrest innocent people who do not fall into the categories stated under the law. In many cases the police in search of suspects arrests relatives and family of suspects and detain them until they produce the suspect. How can a person detained produce someone at large? Nigerian laws do not permit of hostage taking, but the police abuse their powers without any check or hindrance. The constitution also guarantees freedom of personal liberty, but the constitutional provision is always ignored by the police to perpetrate their illegal acts.

### **Denial of Bail**

As we have learnt above, bail is a right and not a privilege. It is not at the discretion of the police, it is mandatory that the person arrested must be released on bail, where he could not be brought before a court within 24 hours insofar as it is not a capital offence the person arrested must be released on bail. However, the bail process by the police is terribly corrupted. Bail in Nigeria must be paid for and contrary to the police slogan that bail is free, the contrary is the practice. You are made to bargain for your release, and as soon as they impose a certain amount you are not to be released unless you pay them. People have been detained for months simply because they could not afford the bail fee. This illegal practice must be checked and halted immediately, and those policemen who indulge in this abuse of power brought to book. The negative effect of the violations of human rights on the victims our democracy, the general public and police force cannot be overemphasized. In a modern and civilized world of today, Nigeria must not be thrown back to the imagined state of nature in Hobbes Leviathan where individual freedom was despised by the strong and powerful. The extent of violation is grave. The failure of the police to abide by the provision of the constitution and democratic norms of respect for fundamental right of people is answerable to psychological, political and socio-economic factors in addition to lack of proper or inadequate education of men of the Nigeria police —force" on human rights issues.

The police continue to violate the human or fundamental rights of the people in Nigeria as clearly stated in the 1999

constitution of Nigeria Extrajudicial killings, torture, violence, brutality, bribery and other cruel, inhuman and degrading treatment constitute the nature of violations or human rights in Nigeria. Victims of human rights violations could spend as many days in police detention without trial until they pay for their bail. Bail cost ranges from N1, 000 to N6, 000 depending on the nature of the offence committed. Those victims, whose crime was „wandering" pay between N2, 000 and N3, 000. Confession or admittance of alleged crimes by victims is based on force.

### **Police Prosecution**

The use of police power to prosecute is also a subject of abuse. In most case the police prosecutors are deeply corrupted, and believe that they are doing the complainant, some service that he should pay for they had therefore found ways of corrupting the process and collect gratifications from complainants in order to prosecute the cases; if not the files could easily disappear, or the cases are not properly handled. They also collect gratification from accused persons and therefore handle the matter so negligently that the accused is discharged for want of diligent prosecution. Another problem is those majorities are not trained, incompetent and out rightly lazy, they do not read their files, and are usually uncoordinated, to the extent that simple cases are lost on the basis of their negligence only. The only solution is to employ only lawyers by the police to prosecute cases in the courts and stop the use of any police officer.

### **Judges Rules**

The rules though not specifically made applicable by statute in Nigeria but is still generally observed. Failure to comply with the rules will definitely affect the credibility and weight to be attached to the statement. Where during a trial, there is allegation that a statement obtained by the police officer was not voluntarily obtained, the court must inquire through procedure known as trial within trial. The accused person will call witnesses or give evidence do establish the fact that he was tortured before the statement made by him was obtained, or it was not made by him at all. The statement may be rejected by the court ( Aina ,2013). Conclusively, many of the men who are into the force are there, not because of the passion they have for the job, but for the extra gain that comes from it. Look, if they are to start lynching daylight robbers in Nigeria, the highway policemen needs to be lynched first. This is highlighted not to promote jungle justice but to showcase how the policemen have been causing harm to the citizens. On the area of human right, they are the key violators of rights. Tamuno, (1970) argued that one of the functions of the police is to serve as the agent of government protecting people's rights. What is seen in Nigeria is a very different case. The policemen violate the rights of the citizen than any other person or body. They are just too inhumane. They have killed, injured and dehumanized many without apology and with immunity. Take it or leave it, if this persists, definitely, jungle justice will still continue in Nigeria. Without respecting the provision of the constitution pertaining to fundamental rights, they encroach on people's rights in public. They sorry part of this is that: when, even after breaching the human rights provision of our constitution, they will take you to their police station, you apologize and even pay them to bail yourself. Nothing and nobody goes for nothing in

the police station. It need be noted before continuing with the piece that the Nigeria Police Force have, at least, some responsible officers. There are men of transparent honesty and proven integrity in the force, but they are only few. And since the good percent of the force are all guilty of the charges levied above, there is need for the overhauling of the force. You know, when palm oil in splashed on a part white handkerchief, the handkerchief completely losses its usefulness.

#### IV. POLICE BRUTALITY AND THE #END SARS NARRATIVE IN NIGERIA

The protests began two weeks ago when a video went viral on social media showing an officer with the SARS (Special Anti-Robbery Squad) allegedly killing a man in the southern Delta state. For years, the unit has been accused of abuse of power and of committing crimes that it is meant to be stopping, like robberies, killings and kidnappings. Promises to reform the police have been made by authorities since 2016, but protesters say nothing has changed. Police brutality has been defined as —the so, and many of them are not aware or pretend to be unaware. They just need to be reoriented through whatever means, maybe by seminars, workshop, sanctions, etc.

Despite the high incidence of headlines about police brutality, evidence suggests that the verbal abuse of citizen by officers is more serious problem. The government has done little or nothing to arrest the situation. The commission believes that physical abuse is not as serious a problem as it was in the past ... most persons, including civil rights leaders, believe that verbal abuse and harassment, not excessive use of force is the major police community relations problem today. There is no evidence that the situation in Nigeria is different.

Reiss (1992) in his classical study of police abuse found that police verbal abuse towards citizen was far more common than the use of excessive force. The study found that the most common complaints of citizens against police, in order of frequency were:

Use of profane and abusive language, Use of commands to move on or get home, Stopping and questioning people on the street or searching them and their cars, Use of threats to use force if not obeyed, Prodding with a night stick or approaching with a pistol, Actual use of physical force or violence itself.

Reiss found that in cases in which offenders were taken into custody, the factors leading to the use of force by the police were the citizens 'social class and behaviour (deferring to versus defying the authority of the police). About half of the cases of use of force involved people openly defying Police authority. Reiss found that the police were more likely to use force against suspects and citizen, when the police considered it necessary to assert their authority or in the process of harassing drunks, alcoholic abusers etc.

Another disturbing aspect of police abuse is the status degradation aspect of police behaviour. Police often do not accord people with their rights and dignity even in a democratic society. Police abuses often stem from the traditions of police work and from the expectations of the police when confronting citizens. The police expect deference to, or at least acceptance of their authority. Behaviour that is inconsistent with the officers 'expectations ranging from a show of disrespect to outright resistance evokes

reaction by officers. To make citizens aware of the police reaction to any conduct challenging their authority, Koontz, (1980) suggested a community based educations programme.

The authorities have dissolved SARS and put a new unit in place, SWAT, which stands for Special Weapons and Tactics Team. Mohammed Adamu, the inspector general of police, has promised that SWAT members will undergo training to prevent abuse of power. Protesters, however, have said that SWAT has just replaced the old unit, and believe nothing will change.

#### V. WAY FORWARD- THE NIGERIA POLICE REFORMS AGENDA

There are several reforms aimed at improving the lives of the Nigeria police in the recent times. These include the 79 point agenda, the three point agenda, and the White Paper Reform among others. The white paper reform states:

- Better pay: Police officers are paid as little as \$40 (#62) a month, this should be raised to \$100 for police constable.
- Bad eggs: Deal with the estimated 10,000 officers with criminal tendency hired already.
- Complaints: A complaint mechanism set up for public to complain and have their complaints established.
- Better education: All recruits should attain a certain educational level before being recruited into the force.
- Promotion: Officers should be promoted after every four years of active and effective service. Promotion should also be transparent.
- Uniforms: Policemen should not have to buy their own uniform.
- Communications: Policemen should get an up to date communication network.
- Equipment: police should be given better investigating tools and the training to use them.

However recommendations that would have removed the president's power to appoint the chief of police and give the appointee security of tenure in office were taken out of the white paper.

1. Effort shall be made to ensure that the principles embodied in this code are reflected in appropriate legislations guiding the Nigeria Police Force;
2. The code shall be made applicable to all Police officers regardless of their jurisdiction;
3. Necessary measures should be emplaced to instruct, in basic training and subsequent training and refresher courses, Police officers of all cadre, on the principles of the code and the implications of their violation.
4. Principles of the code must be given the widest possible publicity and translated into the major national languages to enable public participation in the monitoring of Police conduct across the country;
5. Effective mechanism should be established to ensure the internal discipline and external control as well as the supervision of Police officers;

6. Particular provisions shall be made, for the receipt and processing of Complaints against police officers, made by members of the public and the result of the outcomes of such procedures will not be considered classified.
7. Those to be recruited should be made to understand what it means to be a police and not excessive or unreasonable use of force in dealing with citizens, suspects and offenders.

In addition, first, government needs to finance and improve the force. Some policemen, at times, one just need to 'settle' them because they look so hungry 'and as they say; hungry man is an angry man. Some of them wear uniforms that are as tattered as that of the mad men walking on the street of Ajegunle. All these signal the fact that the police force is not really catered for and that is why the government needs to do something – as urgent as possible.

The policemen also need to be given training and orientation on what it takes to be a policeman. This is needed because many of our police don't even know what they are really into. They see the force as a limited liability company that makes profit. This is not to imitate their seniors. Above all, the force needs a reform and they should continually undergo training and development centered on ethics and public service delivery all through their service years.

Finally, there should also be dismissal of reported and investigated weeds painting bad image to the force. Also, those to be recruited must be made to pass through the due process, if not, the problem will certainly persist.

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#### AUTHORS

**First Author** – Osimen Goddy Uwa, Department of Political Science & International Relations Achievers University, Owo, Email Address: [goddos4real@gmail.com](mailto:goddos4real@gmail.com), Phone- +234-8033-720-666

**Second Author** – Rufus Aisedion, Department of Political Science, Ambrose Alli University, Ekpoma, Edo State

