

Police Infrastructure in Nigeria

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Introduction:

Police infrastructure is the cornerstone of every organised society because it is the adhesive that binds other infrastructures, which are the basic equipment and structures (such as roads and bridges) that are needed for a society to function properly. The hallmark of a modern society is the safety of citizens from the aggression of others over life, limb and property, which in the Nigerian parlance is euphemised as "security".

The Nigeria Police Force (NPF), by virtue of Section 4 of the Police Act (Cap. P19, Laws of the Federation of Nigeria 2004), is *inter alia* responsible for the prevention and detection of crime, apprehension of criminals, preservation of law and order, protection of life and property, and law enforcement in Nigeria.

The general duties of the police in Nigeria, as enumerated, appears to be a direct response to the provision of the Chapter IV of 1999 Constitution of the Federal Republic of Nigeria, which guarantees fundamental human rights, such as the right to life, dignity of human person, personal liberty, fair hearing, etc. This chapter is the core essence of the exercise of sovereignty by the Federal Republic of Nigeria on behalf of the people of Nigeria. Take away the police in any society and what you will have is instant anarchy, where might is right, which will not engender civil life and make investment an impossibility.

- the Nigeria Security and Civil Defence Corps, established by the Nigeria Security and Civil Defence Corps Act 2007, to *inter alia* assist in the maintenance of peace and order in the protection and rescuing of the civil population during the period of emergency; inspect the premises of private guard companies and their training facilities; maintain twenty four hour surveillance over infrastructures, sites and projects of the government at the federal, state and local levels.

Despite the multiplicity of public institutions in providing security, the level of security in Nigeria is a far cry from an ideal situation.

Private Security:

Security is complemented by an array of private arrangements ranging from what obtains in most traditional settings such as age-group cults, Egiri, Egbesu etc., who are mandated to maintain law and order, and enforce justice. There are also vigilante groups formed partly in response to the patent inability of the public institutions to prevent crime. Individuals do engage the services of day and night watchmen, popularly known as "mai-guards", to guard premises.

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Police Inadequacy:

Nigeria is manifestly under policed. The Nigeria Police Force has staff strength of 371,800 to police 190 million people, and a territory of 923,768 km². Section 214 of the 1999 Constitution provides that there shall be no other police force established for the Federation or any part thereof other than the Nigeria Police Force. Paradoxically, the position of the police, rather than be bolstered, is continually eroded by having many of its constitutional functions hived off to motley of public institutions such as:

- the Economic and Financial Crimes Commission (EFCC) under the EFCC Act 2004, to combat economic and financial crimes;
- the Nigerian Drug Enforcement Agency, established under the Nigerian Drug Enforcement Agency Act 2004 to enforce laws against the cultivation, processing, sale, trafficking and use of hard drugs and to empower the Agency to investigate persons suspected to have dealings in drugs and other related matter;
- the Federal Road Safety Commission (FRSC), established by the Federal Road Safety Commission (Establishment) Act 2007 to keep the highways safe for motorists and other road users as well as checking road worthiness of vehicles, and educating motorists and members of the public on the importance of road discipline on the highways;

The largest chunk of the private security effort is provided by the private security companies governed by the Private Guards Act, CAP. P30 Laws of the Federation of Nigeria 2004 (PGA), which *inter alia* provides that no organisation shall perform the service of watching, guarding, patrolling or carrying money for the purpose of providing protection against crime unless the organisation concerned is: registered as a company under or pursuant to the Companies and Allied Matters Act; granted a licence by the relevant Minister in accordance with the provisions of the PGA; is wholly owned by Nigerians.

Private Security Companies (PSCs) are circumscribed by the PGA since they are prohibited from the use of firearms and ammunition. They are also precluded from the use of the expression "detective" in describing their activities. Nonetheless, PSCs provide extensive services to Nigerian companies, especially in the oil and gas sector, where some foreign companies operate at the high-end of the sector. PSCs complement their services by engaging the Nigeria Police Force in private arrangements to provide armed policemen to provide the firearms and ammunition components in their operations.

Lagos State Security Trust Fund:

The Lagos State Security Trust Fund was established in 2007 by the Lagos State Government, through the Lagos State Security Trust Fund Law 2007, to provide a pool of fund from which the Lagos State Government would provide money to the Nigeria Police Force in the state to procure equipment and other resources to combat crime.

The Trust Fund is administered by a Board of Trustees, which renders account of its stewardship annually at a Town Hall meeting on Security. The Trust Fund is funded on a public-private partnership basis through monies and other donations from the public, private persons – both corporate and individuals.

So far, the model has been a runaway success, raising multiples of billions of Naira annually in cash and kind, with the Lagos State Government being a generous donor; the system is being replicated in some other states of the Federation. Novel as the intervention is by the Lagos State Government, there are concerns about its sustainability; the chiefest reason being that the currency for the process is the sheer goodwill of the donors, which is expendable. Likewise, it is foolhardy to sustain a situation where the fundraiser has little or no control on the deployment and maintenance of the resources generated by the fund.

There is conventional wisdom in the 1999 constitutional provision decreeing a single police force for Nigeria; that has been the situation through the post-independence constitutions albeit the 1963 Constitution allowed the legislative arm of a Region to provide for the maintenance by any local government authority of a police force within the local government. However, subsequent constitutions have been eerily silent on a localised police force and State police has since become an anathema and rightly so.

The Way Forward:

Two core issues need to be addressed urgently: recruitment into and funding of the NPF. There is an urgent need for a rethink on how the NPF is funded, and the sooner a bottom-up approach is adopted the better.

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Neighbourhood Safety Agency Bill:

Lagos State House of Assembly recently passed a bill for a law to establish the Lagos State Neighbourhood Safety Agency. The objectives of the Agency are to establish a uniformed Neighbourhood Safety Corps within the State and to assist the police and other security agencies within the community to maintain law and order.

The functions of the board of the Agency *inter alia* include: the taking over of all existing responsibilities of the neighbourhood watch and absorb all eligible watchers into a corps; establishment of uniformed neighbourhood safety corps in all Local Government/Local Council Development Areas in the State; and formulating guidelines, regulations and policies for the day-to-day operations of the corps; and other local vigilante groups in Lagos State.

State Police – to be or not to be?

Each time the question of police reform enters public discourse, in response to the exasperating inadequacies of the Nigeria Police Force, the argument inexorably leads to the worn out clamour for the creation of State Police in each State of the Federal Republic of Nigeria – thirty six in all! The quixotic clamour only gets dulled by the contemplative horror of replicating the “federal might” in thirty states, which at best might as well just amount to spreading the NPF muck, especially as relates to turning it to a political tool in the ready hands of exuberant principals.

Serious consideration should be given to sourcing the funds from where security is needed, which gives the communities a greater say in policing.

Consequently, the oil and gas sector, for example, could devote a certain percentage of its income towards funding the NPF, which is deducted at source via taxation, and also expended directly (or otherwise) on the sector. Rather than having a fixation on establishing state police forces, focus should be on community policing, communities are heavily involved in the recruitment into, and the management of the NPF.

Public Private Partnership (PPP) may only work vis-à-vis the reform of the police force in Nigeria if it is deployed towards the development of the physical infrastructure of the Police such as building stations, training schools, and maintenance of infrastructure etc., but never in terms of the services rendered by the police for obvious public policy issues.

Editor's Note

The much-awaited elixir for the ailing Nigerian economy finally appears to be on the horizon, as the FGN assures that the National Economic Recovery Growth Plan (NERGP) will soon be unveiled. The Plan focuses on five broad areas, namely: macroeconomic policy, economic diversification and growth drivers, competitiveness, social inclusion and jobs, and governance and other enablers. Furthermore, the FGN plans to issue three bonds in the Q1 2017, namely: Eurobond, Diaspora Bond and Green Bond. With the National Assembly commencing debates on the 2017 National Budget, there is cause for a cherry business outlook in 2017 in Nigeria.

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