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THE OPERATIONAL STANDARD OF THE NIGERIAN POLICE: ISSUES AND THE WAY FORWARD

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Abstract

What gave impetus to this research is the fact that the Nigerian Police have continuously violated human rights of Nigerian citizens despite the existence of the United Nations' (UN) globally accepted norms governing the conducts of police officers and the institution of police universally. The aim of this article is therefore to examine the operational standard of the Nigerian Police to determine if it aligns with the universal standard of Policing. In carrying-out this research, the author adopted the doctrinal research method which deals with the use of both primary and secondary sourced materials. The author takes the stance that the operational standard of policing in Nigeria falls short of the universally accepted standard of policing as provided for by the UN in various international instruments. During the course of the research, it was found among others that aside from the required basic training for Police officers and the Police Detective College, there seem to be no further training available to Police officers prior to their first deployment as Investigating Police Officers (IPOs). This fact contributes to the shortage of qualified IPOs thereby falling short of the universal expected standard of policing. The author therefore recommended among others that there should be a special training and retraining of designated officers of the NPF as IPOs. The training and retraining of the IPOs should be critical on standard investigating criteria and procedures that guarantees the protection of human rights of suspects where necessary.

Keywords: Operational standard, Police, issues, prospects.

1.1 Introduction

The discourse on the operational standard of the Nigerian Police is necessary on the premise that human rights' violations are more-predominant during the exercise of the operational-powers of investigation of the Nigeria Police Force

(NPF), than in the exercise of any other power, because of its all-encompassing nature. It is critical to comprehend the operational standard of the Police in order to determine whether a person's human rights have been violated by the Police.

Notably, the Police have the simultaneous authority[1] to make arrests,[2] question suspects,[3] put suspects in custody,[4] conduct searches,[5] and decide whether to grant bail to suspects or not.[6] This, has made criminal investigation one of the most crucial-pre-trial elements of the criminal justice administration. It is a duty primarily-performed by the Police, as a result of the legal-obligations imposed upon them by statute. The United Nations (UN) has established globally-accepted operational-norms that serve as templates for inquiry that all national governments are enjoined to adopt.[7] Statutorily, the NPF is primarily-charged with the responsibility of conducting criminal investigations in Nigeria.[8]

Consequent on the above, this article examines the operational standard of the Nigerian Police. It discusses the operational standard of good policing in line with the following criteria: trained personnel, scientific/technical aids,

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1 The Police Act 2020 (PA), s 31.
2 ibid., s 32.
3 ibid., s 53.
4 ibid., s 64.
5 ibid., s 48.
6 ibid., s 62.
7 Examples of these international instruments, include: The United Nations Code of Conduct for Law Enforcement Officials adopted on 17 December 1979 by the UN General Assembly Resolution 34/169; the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted on 10 December 1984 by the UN General Assembly Resolution 39/46; and the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, Recommended by the Economic and Social Council resolution 1989/65 of 24 May 1989.
8 The PA, Chapter IV.

interrogation techniques, and data of crime and criminals. It discusses the challenges of policing in Nigeria and the way forward.

1.2 Concept of Operational Standard of Police

Preventing crime and conducting fair, just, and efficient investigations are the main responsibilities of the Police.[9] These duties are a crucial component of the police's larger responsibility to guarantee everyone's safety in the society.[10] The Police must have and adhere to a defined, documented operating process to be able to provide an efficient and effective quality of policing. Such an operational system has to be of a standard of global best practice, comply with human rights legislation, and follow the rules governing criminal investigations.[11] It is this operational system that is known or referred to as operational standard.[12]

1.3 Nature of the Operational Standard of the Nigerian Police

One of the responsibilities of the police in Nigeria and all over the globe is to investigate crimes. The Supreme Court of Nigeria held this position in *Al-Mustapha v The State*[13] when the court stated that the Police has the responsibility to investigate crimes under the Nigerian legal system. Thus, it is a responsibility of the NPF to investigate crimes.[14] Though the Police are expected to function within the bounds set by the law, the authority, thus, granted to the Police and other security agencies is not unrestricted.[15] According to Daudu:

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9 'Standard Operating Procedure' <https://www.unodc.org/documents/easternafrica/Criminal%20Justice%20Compendium%20in%20Somaliland/UNODC_ROEA__SOP_Crime_Investigations_WEB_LR.pdf> accessed 19 December 2024.

10 ibid.

11 ibid.

12 ibid.

13 *Al-Mustapha v The State* [2013] 7 NWLR (Pt. 1383) 350, Supreme Court (SC), Nigeria.

14 The Constitution of the Federal Republic of Nigeria (CFRN) 1999, ss 214-216.

15 J. B. Daudu and D. Adekunle, *Reforming Criminal Law in Nigeria* (Nigeria Bar Association, 2012) 93.

> Because accused persons have constitutional rights and are protected by bills of liberty and fundamental rights, investigative agencies cannot in gathering evidence with which such accused persons will be prosecuted engage in illegal and unconstitutional acts such as eliciting confessions by threats, force, torture, inducement or promise of temporal advantage.[16]

In the light of the foregoing, the pertinent question is whether the NPF carry-out investigative activities in line with international standards? Put in other words, can operational standard presumption be held to be in operative in Nigeria in the face of investigative gaps inherent in the Nigeria Police system? The Court of Appeal, (per Chukwuma-Eneli, JCA) in *Jammal v The State*[17] stated thus while commenting on police investigation:

> But before making the financial order in this case, I will say that it is glaringly obvious from the totality of the evidence before the trial court that the investigation of this case leaves much to be desired. The tragedy of it all is that a case so straight forward as this case could be so badly bungled up in the course of investigation. In practically every department of the case, the strain of shabby investigation is seriously felt. There is so much of factual gaps and unresolved flaws that call for little effort if not just sheer presence of mind on the part of the Police to be close up or tied up to make the prosecution's case stand on a fairly even ground.

Rather than improve on the rules and procedures of investigation, the NPF is mostly-known for impunity, arbitrariness and excessive use of force during investigations.[18] In one of such instances, the Court of Appeal, (per Niki Tobi,

16 ibid.

17 *Jammal v The State* [2013] 12 NWLR (Pt. 632) 582, Court of Appeal (CA), Nigeria.

18 'Everyone's in on the Game' Corruption and Human Rights Abuses by the Nigeria Police Force' <https://www.hrw.org/report/2010/08/17/everyones-game/corruption-and-human-rights-abuses-nigeria-police-force> accessed 19 January 2025.

JCA) buttressed the point in a murder case involving a mobile Policeman who had killed two brothers as follows:

> One of the functions of the Police in this country and indeed in any democracy is the protection of the citizen and the prevention of crime. It is therefore paradoxical that the appellant, a Police officer, instead of assisting in the dispersal of the crowd and arresting the suspects, took the uncouth and irregular action of killing the Dawodu brothers. There is evidence that after the gunshot, the appellant waved his riffle from side to side. This was an apparent show of 'victory in a situation where there was no war' between the deceased persons and the appellant.[19]

Investigation, is, in essence, to thoroughly-look into the details of a situation, an occurrence, or a crime.[20] It, is to ascertain the actual cause of a circumstance, incident, or criminal act.[21] It, also, refers to doing methodical-examination in order to submit a suspect to a criminal investigation.[22] Therefore, an investigation is a formal, scholarly, or scientific analysis of the available data on a situation, an occurrence, or a crime.[23]

In the light of the definition of investigation given above, a criminal or police investigation is described as a legitimate search for persons or property with the intention of re-constructing the circumstances around an unlawful conduct, identifying the guilty party, and assisting the State in prosecuting the offender.[24] It is argued that this can only be accomplished, if specific operational-guidelines are established to prevent violations of human rights and guarantee that law enforcement is consistent with up-holding the rule of law, respecting

19 *Ibe v The State* [1992] 7 NWLR (Pt. 187) 37, CA, Nigeria.

20 P. Phillips and A. S. Hornsby (ed), *Oxford Advanced Learner's Dictionary: International Students Edition* (8th edn, Oxford University Press, 2010) 632.

21 ibid.

22 B. A. Garner (ed), *Black's Law Dictionary* (10th edn, Thomson Reuters, 2014) 953.

23 ibid.

24 R. Bohm and K. Haley (ed), *Introduction to Criminal Justice* (3rd edn, Graw-Hill, 2002) 206.

individual's rights, and upholding human dignity. These criteria are represented by the UN Code of Conduct for Law Enforcement Officials 1979,[25] which Nigeria has not yet signed or adopted but which the Nigeria Police Code 2013[26] has almost exactly conceptually-copied.

1.4 Criteria for the Operational Standard of Good Policing and Policing in Nigeria

Certain requirements must be met in order to conduct investigations that adhere to these criteria. They are as follows:

1.4.1 Trained Personnel

Criminal investigation is a special department in every Police Force that requires highly-specialised personnel who have been rigorously-trained and equipped with the mental and physical alertness to confront investigative activities, particularly with the current challenge posed by information technology and sophistication of criminals.[27] Training and re-training in modern crime detective techniques, handwriting, fingerprint devices, intelligence-gathering, and surveillance, are equally-needed.[28] An investigative or detective personnel should be sound enough to draw hypothesis and reasonable conclusions from his instructive abilities to match-up with his professionalism as an investigator.[29] Flowing from the foregoing, an investigator is someone with a solid professional training and great experience that by carefully-completing every appropriate-step in an investigation, leaves nothing unraveled.[30] By doing so, he forfeits no opportunity to develop evidence.[31]

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25 The UN Code of Conduct for Law Enforcement Officials adopted on 17 December 1979 by the UN General Assembly Resolution 34/169.

26 The Nigeria Police Code 2013.

27 C. Swanson (ed), *Study Guide for Criminal Investigation* (8th edn, Cram Incorporated, 2006) 29.

28 ibid.

29 ibid.

30 ibid.

31 ibid.

1.4.2 Scientific/Technical Aids

With the growing sophistication in crime, the Police in modern times equally-require such scientific and technical aids that can assist in the detection of crime.[32] Finger print identification, blood or hormone stain analysis as well as other microscopic-examination of crime-related-materials, including photographic blue prints are essentially-needed to fight crime in modern times.[33] Apart from these, the establishment of a forensic laboratory is another mandatory criminal investigation requirement if perpetrators must be identified.[34] This forensic laboratory is expected to assist an investigator to establish element of crime, link the crime scene to the victim or criminal, corroborate or disprove an alibi, induce an admission or a confession, exonerate the innocent, confirm the guilt of the accused, and provide expert testimony in court.[35] It is noteworthy that the NPF established a forensic laboratory and digital centre in Abuja in 2016.[36] While this development is commendable, the centre in Abuja above can hardly-serve the entire NPF, due to difficulty in assessing the centre by the numerous formations of the NPF spread-around Nigeria.

1.4.3 Interrogation Techniques

Interrogation Techniques are acquired through training, research, and practical experience, and they remain part of the valuable tools in the professional act of criminal investigation.[37] Interrogation techniques are mostly utilised to elicit information from suspects and witnesses who are

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32 Y. Onashile, *Scientific Criminal Investigation, Detection and Prosecution* (Malijoe Soil-Print, 2002) 6.

33 ibid.

34 ibid.

35 ibid.

36 'Nigeria Police Establish Forensic Lab in Abuja' <https://www.premiumtimesng.com/news/more-news/205374-nigeria-police-launch-forensic-lab-abuja.html?tztc=1> accessed 5 May 2024.

37 ibid.

unwilling to give-out information needed for investigation and prosecution of a criminal case.[38] Hence, the ability to get results, depends largely on the aptness, craftsmanship, logical, and psychological insight of the investigator.[39] Besides training, the positive disposition and ability to instinctively draw reasonable-conclusion from a particular factual situation, makes an investigation a good one.[40]

1.5 Data of Crimes and Criminals

Data of Crime and Criminals serves as a nerve centre for the collection of criminal data for record purposes and subsequent use when the need arises.[41] It, also, involves the collection and preparation of information from the data collected for usage, as evidence in court or in the course of further investigation in a given case.[42] The essence is to assist detectives to obtain or establish the fastest investigative leads, particularly in a crime of serious nature.[43] Besides this, hardened criminals who go back to commit crimes after their release are easily-traced and arrest effected.[44] This is often made easy if their previous criminal records are collated and stored in a criminal data bank.[45]

Also, there are three major stages in criminal investigation which generally-enhance operational standards.[46] These stages are not mutually exclusive but work together in order to enhance the overall-objective of investigation.[47] They,

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38 ibid.
39 ibid.
40 ibid.
41 R. Herper, 'The Computer Games: Detective, Suspect and Technology' *The British Journal of Criminology* [1991] 31(3) 292-307.
42 ibid.
43 ibid.
44 ibid.
45 C. I. Nmerole, *Police Interrogation in Criminal Investigation* (Halygraph Nigeria Limited, 2008) 16.
46 '3 Phases of Investigation' <https://www.scribd.com/document/469644052/3-PHASES-OFINVESTIGATION> accessed 19 February 2024.
47 ibid.

include the following: identifying the criminal suspect; tracing and locating the criminal suspect; and gathering of facts to prove the guilt of the criminal suspect.[48]

The police have power to arrest and detain suspects.[49] It is lawful and constitutional, provided they adhere to constitutional provisions.[50] These powers are, often, exercised during Police investigations. At this point, it is anticipated that the detectives would have developed a lead or gathered sufficient evidence to connect the detained individual or prospective arrestee to the participation of the crime. Depending on the kind of crime committed, an arrest may be made right away, by invitation to the Police station or anyplace else with or without a warrant.[51]

In view of the aforementioned, any public information that helps the Police launch an investigation must be founded on a reasonable suspicion of the actual or real participation of a person in a crime, and must be assessed and acted upon impartially and effectively.[52] It should be pointed out that the Judges' Rule which states that: 'you are not obliged to say anything unless you wish to do so, but what you say may be put into writing and given as evidence against you', becomes essential as a preliminary guide-line when arrests are made.[53]

Investigative officers generally have to adhere to the presumption of innocence and follow the due process and requirements of the law.[54] This implies that everyone who is the subject of an investigation, regardless of whether he has been detained, arrested, or released awaiting the conclusion of the inquiry,

48 ibid.
49 The PA, ss 24, 25 & 29.
50 The CFRN 1999, 214-216.
51 The Administration of Criminal Justice Act (ACJA) 2015, ss 10 & 25.
52 The Council of Europe, Declaration on the Police 1979, Pt A, s 8.
53 The Judges' Rule and Administrative Directions to the Police 1978, rule II.
54 The CFRN 1999, s 36(5).

must be considered to be innocent. The UDHR 1948 provides that: 'everyone accused of committing a criminal offence has the right to be presumed innocent unless proven guilty according to law in a public trial in which he has received all the protections essential for his defence'.[55]

It should be stated that consideration has to be given to suspects' rights and privileges.[56] This is the reason the UDHR 1948 provides for the fair trial principle, that its minimal guarantee provides that a suspect must be notified of the charges against him as soon as possible, that he must be tried without undue delay, that he must question or given the opportunity to question the witnesses against him, and that he must not be forced to make a confessional statement.[57]

The Examination of the legal structure pertaining to the victim and witness interview is also crucial. Who may conduct interviews, and under what conditions should an interview be conducted is, also, crucial in this regard. In this wise, sound operational procedures must be observed by the Police to avoid traumatising victims during interviews.[58] The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 1985 states that victims must always be treated with dignity and compassion.[59]

Witness interviews must be conducted in a language that the persons to be interviewed can comprehend, and it is required that the identities of officers conducting the interviews must be made known to such persons to be

55 ibid. Also, see the UN Declaration of Human Rights 1948, art 11(1) and the International Covenant on Civil and Political Rights 1966, art 14.

56 The International Covenant on Civil and Political Rights 1966, Pt 2, art 9.

57 ibid.

58 The UN Declaration of Basic Principles of Justice for Victims of Crime and abuse of Power adopted on 29 November 1985 by the UN General Assembly Resolution 40/34, Pt 4.

59 ibid.

interviewed.[60] The suspects must be made aware of their right to choose a legal representative, and, if the law permits it, their legal representatives should be present while they are being interviewed.[61] Of course, the suspects should be made aware of the allegations against them[62] and should not be forced to admit guilt at any cost, or to provide a defence, answer any question, or implicate themselves or their family members.[63]

It is illegal to use force, torture, or the threat of using force or torture to coerce suspects into making a confessional statement.[64] If a Police officer is found to have engaged in such behaviour, he will be prosecuted and punished.[65] At the conclusion of interviews, it is important to maintain systematic records of the start and finish time of the interview, as well as any request made by the participants and those who were present.[66]

Again, the sensibility and adaptability to the special needs of persons, such as children, juveniles, women, the disabled, mentally-ill, and minorities, are paramount during Police investigation.[67] All persons are in need of unbiased, immediate and empathic support in cases of domestic violence, sex crimes, and trafficking; hence, they deserve special attention.[68] For example, one of the UN Resolution States that 'contact between the Police and juvenile must be managed

60 The CFRN 1999, s 36.
61 ibid., s 36(6)(c).
62 ibid., s 36(6)(a).
63 ibid., s 35(2).
64 H. W. McGowen, *Human Rights and Law Enforcement, Booklet of Human Rights for Police.* (Mission in Kosovo, 2000) 13.
65 ibid.
66 The Council of Europe's Convention on the Conservation of European Wildlife and Natural Habitats 1979, ss 7 & 13.
67 See the Council of Europe Recommendation 1991, No. R (91) 11 Concerning Sexual Exploitation, Pornography and Prostitution of and Trafficking in Children and Young Adults 1991.
68 ibid.

in such a way as to respect the legal status of the juvenile, promote his well-being, and avoid harm to him, with due regard to the circumstances of the case'.[69]

Furthermore, in the course of investigation, Police should not interfere with an individual's right to privacy.[70] These rights, include right to private life, right to family life, home, and correspondence, unless when strictly and legally-necessary and in order to achieve a legitimate objective.[71] Therefore, it is expedient that information and documents acquired by the Police must be treated appropriately and with all necessary confidentially.[72]

In order to further consolidate the investigation process, particularly as it relates to the information collated, strict control by a data protection official becomes imperative to ensure that the 'collection, storage, and use of personal data by the Police shall be carried-out in accordance with international data protection principles, and, in particular, be limited to the extent necessary for the performance of lawful, legitimate, and specific purposes'.[73]

1.6 Policing in Nigeria

It is noteworthy that a critical appraisal of operational standards of policing and its applicability in Nigeria indicates that not much has been achieved in reality as criminal investigations have been turned to 'mere ritual exercise'.[74] The common slogan is that once a crime is committed, 'investigations are

69 See the General Assembly Resolution A/RES/40/33 and Rule 10(3) of the UN Standard Minimum Rules for the administration of Juvenile Justice of 29 November, 1985.

70 The UDHR 1948, art 12; and the UN Code of Conduct for Law Enforcement Officials adopted on 17th December 1979 by the UN General Assembly Resolution 34/169, art 4.

71 ibid.

72 ibid.

73 'Data Collection Methodologies in Criminal Law' < https://lawbirdie.com/data-collection-methodologies-in-criminal-law/> accessed 20 February 2024.

74 'Forensic Science in the Nigerian Criminal Justice System' <https://www.alp.company/resources/arbitration/forensic-science-nigerian-criminal-justice-system> accessed 21 February 2024.

ongoing' after which little or nothing is heard about the case.[75] Investigations, in most cases are not thorough, evidences not carefully-collated, and the end result is that suspects who may have been found guilty of a crime, are acquitted, due to a lack of diligent prosecution.[76] In *Al-Mustapha v The State*,[77] the appellant and one Lateef Sofolahan were arraigned on a two count charge of conspiracy to murder and murder of Alhaja Kudirat Abiola, and the Court of Appeal lamented on the poor investigation of the Nigerian Police thus:

> The learned trial Judge should have observed that the Police investigation (if any) into this matter was wishy-washy and leaves much to be desired. Apart from the unreasonable witnesses fielded, whose evidence was fraught with contradictions which was not explained, there is nothing to show that the crime was investigated properly anyway. This is because the bullet allegedly expended and was extracted from the deceased head was never tendered... For an offence such as murder, I wonder why the Nigerian Police did not promptly and wholly investigate this matter. There is no autopsy report as to the cause of death.

The above, is the reason that necessitated the then Attorney General of the Federal Government of Nigeria, Abubakar Malami to set-up an investigation unit in the Federal Ministry of Justice to coordinate the investigation of sensitive cases by federal security agencies in Nigeria.[78] Also, the ACJA 2015 provides that only a legal practitioner can now prosecute cases in Nigerian Courts.[79] The implementation of the provision of the ACJA above,

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75 ibid.
76 ibid.
77 See *Al-Mustapha* (n 13).
78 A. Adesomoju, 'AGF Raises Ministry's Team to Probe 'Sensitive' Cases' <https://punchng.com/agf-raises-ministrys-team-to-probe-sensitive-cases/> accessed 19 October 2024.
79 The ACJA 2015, s 106.

would no doubt improve the standard of investigation and prosecution of criminal cases in Nigeria.

More often than not, the Police question suspects in a dehumanising method, as suspects are constantly coerced into confessing to crimes against their wish and they are, also, subjected to abuse of various degrees.[80] The Court of Appeal went on to state in *Al-Mustapha v The State*[81] that:

> Kyari Jidai Gadjama, a retired military personnel, and orderly of the appellant testified of how they attempted to compel or induce him to testify against the appellant as PW2. He was mercilessly beaten up with wire cables in furtherance of this during investigation.

It is commendable that the ACJA has also made provisions that the statement of suspects must be taken in the presence of his legal practitioner or some other legal practitioner, Justice of Peace or some other person of his choice. Section 17(1) and (2) of the ACJA 2015 provides that:

1) Where a suspect is arrested on allegation of having committed an offence, his statement shall be taken, if he so wishes to make a statement.

(2) Such statement may be taken in the presence of a legal practitioner of his choice, or where he has no legal practitioner of his choice, in the presence of an officer of the Legal Aid Council of Nigeria or an official of a Civil Society Organization or a Justice of Peace or any other person of his choice. Provided that the Legal Practitioner or any other person mentioned in this subsection shall not interfere while the suspect is making his statement, except for the purpose of discharging his role as a legal practitioner.[82]

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80 ibid.
81 See *Al-Mustapha* (n 13).
82 The ACJA 2015, s 17.

The full-implementation of the provisions of the ACJA 2015 above, would no doubt eliminate the issues of coercion of suspects to make confessional statements against their wish.

Furthermore, since suspects are, often, handled without regards to their constitutional rights, the privacy of persons is not always protected, whether they are suspects or victims of crime.[83] Abati notes as follows:

> The Nigeria Police Force is one of the most unpopular institutions in Nigeria today; it is distrusted by the same people whose lives and properties it is meant to protect, and this has resulted into a resort of self-help in many ways. Every year both the Amnesty International and Human Rights Watch as well as local civil society organisations report on many cases of Police brutality and inefficiency.[84]

Aside from the required basic training for Police officers and the Police Detective College, it should be noted that there seem to be no further training available to Police officers prior to their first deployment as Investigating Police Officers (IPO). This fact contributes to the shortage of qualified IPOs.[85] For the most part, Police officers are, often, only put in charge of criminal investigations and are expected to learn the required skills on the job.[86]

Furthermore, as bemoaned by Ogunshakin, the lack of crime statistics is another concerning aspect of the operational standard of the Nigerian Police.[87] He states thus:

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83 R. Abati, 'State Police and the Challenges of Internal Security' *This Day Newspaper* (Lagos, 30 June 2014) 6.

84 ibid.

85 Daudu and Adekunle (n 15) 19.

86 ibid.

87 O. Ogunshakin. 'Scientific aids to Criminal Investigation' in S. Arase and I. Iwuofor's, *Policing Nigeria the 21st Century* (Spectrum Books Ltd, 2007) 100.

> The state of forensic investigation in Nigeria is very poor at the moment due to a severe lack of the necessary implement. For example, there are no computerised database for criminal records in the country. At the moment, the Nigerian Central Criminal Registry still makes use of outdated manually kept record. The enormity of the task of manually comparing and assessing the fingerprints of 150 million (as at then) Nigerians is perhaps better imagined than described.[88]

It should be noted that the situation stated by Ogunshakin above has not changed for the better. It should be pointed out that the Supreme Court of Nigeria has held in *Dokubo Asari v The Federal Republic of Nigeria*,[89] that national security takes precedence over individual fundamental rights, and as such, if adherence to any of the fundamental rights conflicts with national security or public order, the Nigerian Police must act in the interest of national security and breach the individual's fundamental rights. Also, it should be recalled that fundamental rights as provided for in the CFRN 1999, are not absolute. This is so, because the CFRN 1999 has provided that some of the fundamental rights provided for in its Chapter IV can be derogated from in the interest of defence, public safety, public order, public morality, public health or for the purpose of protecting the rights and freedom of other persons.[90]

Again, it should be stated as provided for in section 24(e) of the CFRN 1999 that every citizen has the duty to render assistance to appropriate and lawful agencies in the maintenance of law and order. It therefore means that every citizen is under the obligation to cooperate with the police and other law enforcement agencies to ensure the smooth exercise of police duties free from human rights' violation and abuse of power by the Nigerian Police.

88 ibid.
89 *Dokubo Asari v The Federal Republic of Nigeria* [2007] LPELR-958, SC, Nigeria.
90 ibid., s 45(1)(a).

1.7 Conclusion

This article examined the operational standard of the Nigerian Police. It discussed the operational standard of good policing in line with the following criteria: trained personnel, scientific/technical aids, interrogation techniques, and data of crime and criminals. It discussed the challenges of policing in Nigeria and the way forward.

From the foregoing, the following were observed or found:

i. Aside from the required basic training for Police officers and the Police Detective College, it should be noted that there seem to be no further training available to Police officers prior to their first deployment as IPOs. This fact contributes to the shortage of qualified IPOs.

ii. The lack of diligent prosecution of most erring officers of the NPF is one of the factors militating against the realisation of a good operational standard of the Nigerian Police. This does not deter officers of the NPF from dragging the NPF before the mud with their bad operational practices.

iii. There is only one forensic centre in Nigeria, located in Abuja, Federal Capital Territory (FCT), established by the NPF in 2016, with none in other States and Police formations in Nigeria. This may lead to delay or improper investigation of cases.

Flowing from the observations or findings above, the following are recommended to improve the operational standard of the Nigerian Police:

i. It is recommended that apart from the required regular training and retraining of police officers, there should be a special training and retraining of designated officers of the NPF as IPOs. The training and retraining of the IPOs should be critical on standard investigating criteria

and procedures that guarantees the protection of human rights of suspects where necessary.

ii. It is recommended that the Nigerian Government, all authorities in control of the NPF, and the National Human Rights Commission and other similar bodies should ensure that every erring Police officer of the NPF should be dealt with in accordance with relevant laws in force.

iii. It is recommended that the Nigerian Government as well as the NPF should ensure that forensic centres are established in at least every State Command of the NPF. This would improve the operational standard of the Nigerian Police as it would speed-up and make forensic investigations better and easier.