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COMMUNITY POLICING IN NIGERIA AS AN ANTIDOTE TO CRIME

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"Policing concerns a central issue of democracy, namely the rule of law. It is the rule of law that determines the degree to which political and social rights are enjoyed equally".[1]

Introduction

Events spread across the history of Nigeria and that of the Nigeria Police have shown that policing a country as vast as Nigeria is not a tea party. In recent times, violent crime has been on the upsurge and many high profile instances of police misbehaviour, criminality and malpractice continue to hit the media. The violent assassinations of prominent citizens[2] has raised a problem that simply cannot be wished away. The national police in several countries have often been used to intimidate and rule citizens.[3] This has given the Police a bad reputation and they are more frequently seen as part of the problem, rather than as the protectors of individual freedoms of expression, religion, association and so on.[4]

Lack of police integrity undermines the credibility of the police and its ability to reduce citizen fear. Needless to say, unethical behaviour by the police impacts negatively upon the citizens. This kind of unacceptable behaviour was for example, displayed by members of the Nigeria Police through the tear – gassing of defenceless women who were exercising their right to a peaceful protest in expression of their anger at the rot in the aviation sector in the aftermath of the avoidable Sosoliso plane crash killing scores of innocent children.[5] In reaction to this brutality by the police, Professor Wole Soyinka reacted as follows: "While I feel

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1. Bruce Baker: Policing and Society, volume 13, No.2, June (2003) available at http://taylorand francis.metapress.com. visited on 08/01/2006.
2. For example the former Attorney General of the Federation Chief Bola Ige, the former Chairman of the Nigerian Bar Association, Onitsha Branch, Chief Barnabas Igwe and his wife among others.
3. Bertus Ferreira: The Use and Effectiveness of Community Policing in a Democracy available at www.ncjrs.gov/policing/use139.htm visited on 01/03/06. The Author gave examples of countries in Central and Eastern Europe which experienced totalitarian governments.
4. Ibid.
5. On December 10, 2005, a local passenger plane, Sosoliso Airlines crashed at Port-Harcourt killing over one hundred people, many of them children. See generally, "Mr. Ehindero, This is Unacceptable", This Day Newspapers, December 20, 2005.

speechless with rage, as must every citizen with any sense of decency and comparison, I must state immediately that *I am not astonished at this morning's police brutality and insensitivity* in tear-gassing of Nigerian mothers with their children – who had gathered to honour the memory of victims of Nigeria's latest air disaster, and express empathy and solidarity with the bereaved mothers and relations...".[6]

The political atmosphere in the country has created a situation where ethnic militias and vigilante groups are looked up to by citizens to protect them.[7] This is an indictment on the Nigeria Police.

The fact however, that such vigilante groups are considered necessary in addition to the Police points to the fact that policing is not entirely a policeman's affair.[8] Policing a country needs the support of the individual communities in which policing takes place. Effective policing which involves the communities has a positive impact on reducing crime in the neighborhood and thereby enhancing the quality of life. Once the citizens trust the police, they will provide the police with information and assistance to help the police to serve their communities better, to fulfill their task of "To Serve and Protect with Integrity" as well as gain legitimacy in the eyes of the public.

Policing throughout the western world has been the subject of continuous debate and persistent reform.[9] In Nigeria, the transition from military to civil rule in 1999 marked the first real efforts – and the first real opportunity after years of military dictatorship – to undertake reforms in the police.[10] In the year 2000, the Ministry of Police Affairs drew up a detailed five year development plan covering a diverse range of goals. These goals included the implementation of community policing.

This paper examines the whole concept of community policing and how it can be utilized towards the attainment of a better administration and dispensation of criminal justice in Nigeria. How can a democratic country like Nigeria provide freedoms for citizens and at the same time allow the police to enforce the laws of that country? The answer would to a large extent depend on what role Nigeria would like to see the police perform. Through community policing, the police will be able to uphold law and order while also respecting the rights of individuals. A

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6. Ibid. Emphasis mine.
7. Governor Chris Ngige of Anambra State had his official police protection taken away from him leaving him at the mercy of a self-determination force. See Cornelius Ojo: "PDP, Police and Killings" in This Day Newspapers, April 9th, 2004, p.16.
8. See Broderick Bozimo's interview in Thisday Newspaper, December 2, 2003, p.49.
9. Jack R. Greene: The Case for Community Policing, Usinfo.state.govjournalsitdhr1197ijdegreen.htm.ht visited on 10/1/2006, p.1.
10. Human Rights Watch: Police Reform-*www.hrw.org.ht visited on 10/1/2006*, p.1.

comparative analysis will be made with how well the practice of community policing has fared in other jurisdictions and what can be learnt from them. It is hoped that the contents of this paper will throw more light on whether or not community policing is the right direction to go in the effort to address the teething problems confronting the criminal justice system in Nigeria.

Understanding the Concept of Community Policing

Community policing, in general terms, involves the police abandoning their traditional reactive role and adopting a proactive role in both seeking out criminals and attempting to prevent crime from occurring, while at the same time engaging the community.[11]

Community Policing has been defined as a process for greater sharing of information and values by the police and the community, and a method for changing the police and their service to the community.[12] The elements in this definition have the intention of changing the traditional role of the police from that of just crime fighting to broader role definitions. Community policing seeks to achieve the fact that members of the community view the police as problem-solvers and community advocates.[13] It has been regarded as an excellent opportunity for the government and the police to attend to the needs of their "customers" in society.[14]

In essence, therefore, community policing is a collaboration between the police and the community that identifies and solves problems within that particular community.[15] This has far-reaching implications including the expanded outlook on crime control and prevention, the new emphasis on making community members active participants in the problem solving process and profound changes within the organizational structure of the police.[16] To sustain community policing, police agencies need to do a reorganize their structure where they for example:

- Decentralize authority and increase accountability so that the services provided to the community are beneficial to both the police and the citizens

11. Neil Websdale: Policing the Poor: From Slave Plantation to Public Housing, Boston, Northeastern University Press, (2001) available at http://www.upne.com/1-55553-497-x.html visited on 11/11/2005.
12. Jack R Greene: op.cit.
13. Ibid.
14. Scott Lewis, Helen Rosenberg, Robert Sigler: Policing: An International Journal of Police Strategies and Management at http://www.emeraldinsight.com/10.1108/13639519910299544 visited on 24.05.06.
15. Community Policing Consortium: Understanding Community Policing at http://www.communitypolicing.org/chap1fw.html, visited on 11/11/2005, p.4
16. Tracing the Roots of Community Policing at http://www.communitypolicing.org/chap2fw.html, visited on 11/11/2005, p.1.

- Improve police bureaucracy by shifting from record-keeping and incident-counting to problem identification and analysis
- Revamp the organizational culture of policing by changing the symbols, language and philosophy of the police agency itself
- Provide community access and input into police policymaking by encouraging citizen participation and review during the decision-making process
- Provide police personnel with input into local government policymaking and an active role in local government decision-making which affects police service within the community
- Stress and implement systems for quality assurance, the maintenance of organizational and personal integrity, and the fair and equitable treatment of citizens.[17]

It is a fact that policing strategies which have been in use in Nigeria have recorded minimal success in the area of crime prevention and control.[18] Government is beginning to recognize the fact that communities must also accept responsibility for keeping their neighbourhoods safe. They have to take a unified stand against crime, violence and disregard for the law in collaboration with the Police. This is what Community Policing is all about.

The implementation of community policing necessitates fundamental changes in the structure and management of police organizations.[19] Community policing differs from traditional policing in how the community is perceived as well as its expanded policing goals. While the prevention and control of crime remain central priorities, community policing strategies use a wide variety of methods to address these goals. The Police partners with the community in addressing problems of disorder and neglect such as street touting, abandoned vehicles, among others. These may not be criminal at the time but may eventually lead to serious crime.[20] Through the strengthening of the links between the Police and the community over time, underlying causes of crime will be pinpointed and better mitigated upon.

Using the United States of America as a guide, analysis of crime statistics in that country exposed the fact that the emphasis on crime fighting as opposed to crime

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17. Jack Green: Op.cit.

18. This can be inferred from the upsurge in crime and the call from many quarters for a de-centralized system of policing under the control of the individual states. See for example Osa Iyinbo: Call for Regional or State Police. Is Nigeria really ready? At file://A:Lagosforum_com%20%Express%20yourself%20responsibly.htm, Visited on 4/6/2004. See also, Ada Ozoemena: "The Call for State Police in Nigeria: Imperatives, Problems and Prospects", in Fountain Law Journal, Ado-Ekiti, Feburary (2006), p.1.

19 Tracing the Roots of Community Policing in Understanding Community Policing, op.cit. p.2.

20 Ibid.

prevention had a limited effect on the reduction of crime.[21] The centralized management of police organizations isolated them from the communities they were supposed to serve and therefore, hampered crime-fighting efforts. statistics on unreported crime suggest that in many cases police are not aware of existing problems.[22]

Without strong ties to the community through community policing, the Police may not have access to pertinent information from citizens which could assist in the prevention or control of crime.

Police functions under community policing include those, which have been more or less regarded as outside the purview of the police. They include aiding accident and crime victims, arbitrating neighbourhood and domestic disputes and providing medical and social services in situations of emergency.[23]

Nigeria being a country which is multi-ethnic and multi-religious will only stand to gain from the many benefits with community policing brings along. Community policing has the potential to provide an opportunity to emphasize uncompromising integrity, unyielding standards of fairness and unwavering equality. Police officers under this concept will have to work closely with the community and will be increasingly confronted with ethical dilemmas. The paramount commitment under community policing should be the respect of all citizens and the sensitivity to their needs. Officers should not discriminate and all citizens, irrespective of religion, ethnic group or affiliation must have equal access to police services for a full and productive partnership with the community.[24] With the practice of citizen involvement, it is our view that community policing will to a large extent avert the frequent religious and ethnic crises which have occurred in Nigeria in recent times.[25] It will also lead to a general reduction of crime and thereby remove the quest for the decentralization of the police to the individual states which has been the call by some state governors in recent times.[26] The solution does not lie therein as both federal and state controlled police are susceptible to vices of power. The aim of

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21 Ibid.

22 Ibid.

23 Ibid.

24 Ibid p.7

25 The religious crises in some parts of the North as a result of the "Cartoon Riots" in Europe alleging the misrepresentation of Prophet Mohammed and leading to the murder of many Christains, and the reprisal attacks on Moslems in parts of eastern Nigeria is a valid example of a situation which would have been better managed under a police/community partnership. See Internal Displacement Monitoring Centre Report of 9th March 2006 available at http:www.reliefweb.int/rw/dbc.nsf/doc100 visited on 5/6/2006.

26 This quest for state run police reached boiling point in Anambra State under former Governor Chris Ngige.

fostering greater cooperation between the State Governors and Police Commissioners will be better achieved through community policing.[27]

Administration of Criminal Justice System in Nigeria – An Overview.

Prior to the colonization of Nigeria by the British, both Customary and Islamic criminal laws and practice were being used.[28] There existed the tribal and ethnic nationalities who ensured that lives and property were protected and law and order was maintained.[29] In this era, the focus of the criminal justice system was to ensure the proper carrying out its social patterns and economic obligations by members of the society. The system of traditional and customary policing which was in existence then has most of the positive attributes associated with the modern day concept of community policing.

With the British colonization of Nigeria, came the rules of English common law. A dual system of criminal law was introduced. The criminal code was in force in the country, but while customary criminal penalties were abolished, the "native courts" continued to function as long as their pronouncements were not "repugnant to natural justice and humanity".[30] The criminal and penal codes were later on introduced following pressure from the Islamic North to protect certain laws under Islamic law – such as adultery and the consumption of alcohol – which they held sacred.[31]

Since the attainment of independence in 1960, Nigeria has grappled with the task of establishing a lasting democracy. The frequent interference of the military in the governance of the country created an atmosphere of political instability where vital institutions responsible for the safeguard of the sanctity of law and the rights of the citizenry were neglected.[32]

Under the present democracy, the administration of criminal justice still mirrors the legacy left behind by the British colonialists. The machinery of the system starts either when a crime is about to be committed, when it is committed or when investigation by the police starts. A lot of times, the police makes an arrest first, detains the suspect and then proceeds to investigate

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27. Akintolu Olujinmi: "Crime and Policing in Nigeria" in E. Alemika and I. Chukwuma (eds.) Crime and Policing in Nigeria, Challenges and Options, Lagos, (2004), p.19.
28. Dele Peters: "Public Prosecution and the Concept of Restorative Justice in Nigeria", in Fountain Quarterly Law Journal, Ado-Ekiti, May (2005), p. 79.
29. Ibid.
30. Native Courts Ordinance No.8 of 1914.
31. This came into effect from 1st October 1960 on the attainment of independence.
32. B. Wali: "Democracy, Human Rights and the Administration of Justice" in M.T. Ladan (ed): Law, Human Rights and the Administration of Justice in Nigeria, Zaria, (2001), p.32.

Stakeholders in the Administration of Criminal Justice

One of the major stakeholders in the administration of criminal justice in Nigeria is the Nigeria Police. Others include the Judiciary and the Nigerian Prison service. The Nigeria Police was established under the Constitution[33] to maintain law and order as well as secure public safety and public order.[34]

The Nigeria Police is provided for by the Constitution.[35] The 1999 Constitution provides generally, that the Nigeria Police shall be organized and administered in accordance with such provisions as may be prescribed by an Act of the Federal Legislature.[36] It further stipulates that the police shall have powers and duties as may be conferred upon them by law.[37] These provisions give constitutional validity to the Police Act which provides for the making of Regulations with respect to the organization and administration of the Police.[38] The Nigeria Police is responsible "for the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulations with which they are directly charged, and shall perform such military duties within or without Nigeria as may be required by them by, or under the authority of this or any other Act.[39] It also has the responsibility to conduct prosecutions before any court.[40] This is subject to the power of the Attorney-General of the Federation and of a State to institute, undertake, take over, continue or discontinue criminal proceedings against any person before any court of law in Nigeria.[41] Other police powers under the Police Act include the power to arrest without a warrant, the service of summons, the power to carry out a search among others.[42]

The police are, in the course of the protection of life and property and the preservation of law and order, also fulfilling the objectives of Criminal Law and the

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33. Section 214(1) of the Constitution of the Federal Republic of Nigeria, 1999.
34. Section 215(3), ibid.
35. Before the 1954 Constitution, the Police traced its origin to the various colonial ordinances and Proclamations , beginning with the increase of Armed Police Ordinance No. 18 of 1863 and ending with the Police Ordinance of 1942. The latter has been amended several times. It now constitutes the current Police Act, Cap 359, Laws of the Federation of Nigeria 1990.
36. Section 214(2) (a).
37. Section 214 (2) (b.
38. See the Police Act, Chapter 359, Laws of the Federation 1990.
39. Ibid, section 4.
40. Ibid. section 23.
41. See section 174 of the 1999 Constitution.
42. See sections 24 to 30, Police Act, op.cit.

Criminal Justice System.[43] It is largely up to the Police to see to the proper functioning of the Criminal Justice System.

The other institutions involved in the administration of criminal justice in Nigeria are the Prison Service and the judiciary. When a person is arrested by the police on suspicion of a crime, such a person has to be arraigned before a court of competent jurisdiction. The judiciary is therefore burdened with the responsibility of determining the guilt or innocence of the suspect. Where a guilty verdict is passed, the Nigerian Prisons Service[44] is charged with the responsibility of ensuring the safe custody of persons in their custody, the identification and treatment of anti-social behaviour among offenders as well as the reform and rehabilitation of such offenders.

Challenges Facing the Criminal Justice System in Nigeria.

With our fragile democracy has come problems in the criminal justice system, inherited from several years of military rule. The relative neglect of the criminal justice system in previous years was one of the consequences of emphasis under military rule on law, order and the protection of the state.[45] The Criminal Justice System has as a result been frequently described as ineffective, unjust and repressive.[46] The Nigeria Police has for example been described as more adapt at paramilitary operations, repression of the helpless civilian populace and the exercise of force than rendering community service or the prevention, detection and investigation of crime.[47]

It is essential to identify the key challenges facing the Criminal Justice System in order to ensure legitimacy, accountability and efficiency. This will also reduce crime levels and enhance stability and security.

Challenges facing the Criminal Justice System include the provision of equal access to justice and a user friendly system of justice, efficient and competent officers, proper implementation of constitutional provisions especially as regards the

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43. A. A. Adeyemi: "The Criminal Process as a Selection Instrument for the Administration of Justice" in A.A. Adeyemi ed: Nigerian Criminal Process, (1977), pages 26-71, at p. 28-38, A.A Adeyemi, "Police and Criminal Justice Administration in Nigeria", in I.A.Ayua et al (eds.) Nigerian Current Law Review 1995, Nigerian Institute of Advanced Legal Studies, Lagos, 1997, p.1.

44. Regulated by the Prison Act, cap. 366 Laws of the Federation of Nigeria, 1990.

45. Bayo Ojo: "Administration of Justice and Prison Reforms in Nigeria" in Selected Essays in Honour of Hon. Justice Muhammadu Lawal Uwais, Abuja, (2005), p.4.

46. Ibid.

47. Kofi Akesah: Sarpong; "Law, Order and Vigilantes in Nigeria," Federations Vol.2 No. 4, June/July 2002.

human rights of citizens and the will to adapt to change which is the bedrock of democracy.[48]

Speaking specifically on the Police, their low public image and mistrust by the citizens is a reflection of the challenges inherent in the criminal justice system. Members of the Police – especially the rank and file- work and live under the most harrowing conditions.[49] Early in 2002, junior members of the Police went on an industrial action on complaints of non-payment of rent subsidy, lack of promotion, in-human conditions of service and so on.[50] Following the industrial action, some of their demands were met but the redress was only short-lived as it is obvious that the attention which the criminal Justice System demands has not been given its pride of place.

The level of disenchantment was again revealed in February 2006 when junior members of the Police again threatened to embark on an industrial action based on reasons similar to the ones given in 2002. For a police officer living in a typical Nigerian barrack, "going home" reminds him of deprivation, poverty and poor environmental situation. This, in turn, makes their hearts as black as the uniform they wear in carrying out their "duties".[51] In a swift reaction to the intended strike, a Police Reform Committee was instituted to look into their grievances. This Committee revealed why the new police slogan "to serve and protect with integrity" only comes alive as stickers on rickety police vehicles. The many challenges being faced by the police – from poor leadership to reorganization of the structure to make it more user-friendly - requires a proper diagnosis.

It is our view that it is only through the active participation of all who share a concern for the welfare of the neighbourhood in which they live[52], in other words, through Community Policing that our democracy can really be seen to make a positive impact in the criminal justice system as it concerns the Police.

Towards Community Policing in Nigeria.

The fact that the quality of policing available in Nigeria today remains a source of immense worry to its citizens is not in doubt.[53] Available data of robbery

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48. See generally: Bayo Ojo: Op.cit.
49. See This Day Newspaper, February 25, 2006, p.13.
50. See Human Dignity, a Newsletter of the Human Rights Club, Vol.3 No. 1 Jan-April 2002, p.6.
51. See Olumide Bajulaiye:" Inside the Ghetto Barracks of Lagos", Daily Trust Newspaper, February 10, 2006.
52. These include local government, civic and business leaders, public and private agencies, residents, churches, schools and hospitals among others.
53. See Reforms in the Nigeria Police, Sunday Independent, 29/01/2006, p.B.8.

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offences raises a lot of questions on the performance of the Police.[54] The emphasis by the police on a preventive strategy based on the interventionist action of rounding up known or suspected robbers when found has yielded little result. Where potential recruits into criminal gangs are identified and handed over to appropriate social welfare bodies for social transformation, it "will save this country the needless destruction of our youths, after they have been allowed to ripen into robbers".[55] Politically motivated killings have also been on the rise.[56] When these killings occur, response from the police has been all but satisfactory as past examples show.[57]

The call for joint planning between the police and the public as well as the various ministries of Social Development has been made in the past[58] and goes to point out the fact that Community Policing is a codification of police functions as they have been canvassed over time.

Community policing, though well accepted in many countries[59], is a relatively new trend in Nigeria.

Community policing was launched by the present administration on April 27, 2004[60] as community policing was acknowledged to be the only way forward from a militarized to a humanized police force.[61]

The police leadership itself admitted that the modern approach to policing a society which is being adopted all over the world is the police, partnering with the community.[62] This new mission is calculated to enhance peaceful co-existence, progress and development of the country as well as effectively control armed

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54. A.A. Adeyemi: "Crime Trends and Criminal Justice Policy in Nigeria" in I.A. Ayua et al (eds.) Nigerian Current Law Review 1994, Nigerian Institute of Advanced Legal Studies, Lagos, (1995), p. 8.

55. Ibid.

56. The brutal assassination in Kano State of the wife of a former governor of that state for apparently politically motivated reasons, is fresh evidence of the near absence of security in the country. See Reforms in the Nigeria Police, Sunday Independent, 29/01/2006, op. cit.

57. The shoddy investigation into the murder of a former Attorney-General and Minister for Justice, Chief Bola Ige where for example no fingerprint examination was conducted received severe criticism.

58. A. A. Adeyemi: "Crime Trends and Criminal Justice Policy in Nigeria," op.cit.

59. The governments of the United States of America and Great Britain for example have even gone further by giving financial and technical assistance to Nigeria in the development of her community policing project. See Human Rights Watch, op.cit.

60. Murphy Ganagana: "Police Officers to Undergo Psychiatric Test", Daily Sun, May 12, 2004.

61. Brodrick Bozimo: ibid.

62. Security: "Police Work on Community Partnership", Thisday online, www.thisdayonline.comarchive200404092004040 9fea01.html.ht, visited on 18/01/2006.

banditry and other heinous crimes in partnership with the community.[63] According to a former Inspector General of Police, "society as we know it, is a variegated and complex system, both in terms of its component parts and the contending of socio-political and economic issues confronting it. Conflicts, crises, crime and criminality are consequently inevitable in the society. The active involvement of the people in policing the society has become imperative, as the police alone cannot handle the enormous responsibility which internal security entails. Because the police is just a micro representative of the larger society, it is only community partnership as practised through the world over that could ensure that police services cover the entire country."[64]

The police therefore adopted a three-pronged approach to ensure the practicability of community policing. These include:

- The encouragement of vigilante services by community members,
- Courtesy calls on community and traditional leaders,
- Soliciting logistics support from private individuals and organizations for extensive and efficient operations.[65]

This approach was designed to solicit support for police operations, either through the active participation of local members in vigilante services or by the supply of information on criminal activities and their perpetrators in their communities.

The Rationale for Community Policing

With the transition from military to civil rule in Nigeria also came a surge in crime and disorder.[66] From armed robbery to political assassinations and ethno-religious killings, the list is endless. Frustrated by the inability of the police to respond adequately to their safety and needs, citizens resorted to self-help measures. The formation of militant vigilante groups became the order of the day. These vigilante groups had no set guidelines and practiced "jungle justice" – by lynching and torturing persons suspected of crime without a proper trial. This of course is an abuse of the fundamental human rights to life, dignity of human person and the right to a fair hearing as guaranteed by the 1999 Constitution.[67]

At the time when vigilantism was at its peak, a part of the public called for the regulation and supervision of the activities of such groups by the police. Others

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63. Ibid.
64. Tafa Balogun in "Police Officers to Undergo Psychiatric Test", Daily Sun, op.cit.
65. Security: "Police Work on Community Partnership", Thisday online, op.cit.
66. Innocent Chukwuma: "Responding to Vigilantism, Carnegie Council on Ethics and International Affairs", http://www.cceia.org/viewMedia.php/prmTemplateID/8/prmID/801 p.1, visited on 18/1/2006.
67. See sections 33, 34 and 36 of the Constitution of the Federal Republic of Nigeria 1999.

called for the outright disbandment of vigilante groups.[68] Without being drawn into the controversy, it is clear that the police as it is presently constituted cannot adequately protect the citizens.

The more result oriented approach would be to ensure that the rights of people as well as the rights of the citizens within a community to organize and protect themselves are respected.

Through community policing, while the vigilante groups whose activities cannot be tolerated in a democratic society should be disbanded[69], those ones who have been proved to be able to work under close supervision with the police could help very positively in ensuring that peace and the rule of law reign, in every community.[70]

The Role of Civil Society in the Promotion of the Rights of Citizens through Community Policing.

Building synergy between the police and members of the community through the creation of a Police Public Relations Department and the establishment of Police Community Relations Committees in all police formations have not yielded remarkable dividend. Relations between the police and the people remain frosty to a large extent.[71] The police have seen the need to improve its image with the public.[72] They have therefore been working with Non-Governmental Organizations and communities, in order to build a more service-oriented police force by introducing new strategies in which communities and the police are true partners.[73]

The *Centre for Law Enforcement Education (CLEEN),* and the *Network on Police Reform in Nigeria (NOPRIN)* are two of such groups which have partnered with the Nigeria Police in the advancement of the rights of citizens through the community policing program.

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68. See Innocent Chukwuma: "Responding to Vigilantism" op.cit.

69. One of the most enduring examples of these kinds of groups is the "Bakassi Boys" active in Abia, Anambra and Imo states. They began as a group of traders in Aba, but were later hijacked by state governments, which armed them with dangerous weapons without police checks. The Bakassi Boys made routine public spectacle of some of the criminal suspects, often parading them naked through the streets, chopping body parts and burning them. Ibid.

70. These are made up of neighbourhood vigilante groups on many street corners in middle income neighbourhoods and rural communities throughout the country.

71. Community Policing and Conflict Management: Cleen Foundation...Justice Sector Reform,*http://www.cleen.org /compo.html, visited on 18/01/2006.*

72. The United States Diplomatic Mission to Nigeria: Information Section – Crossroads, http://nigeria.usembassy.gov/wwwhxjan03f.html, visited on 18/01/2006.

73. Ibid.

The program on community policing was started by CLEEN in Lagos. It seeks to incorporate community concerns in the determination of policing priorities in Nigeria through police-community interactive forums set up to discuss common crime and disorder problems.[74] Between 2001 and 2003, fourteen police-community partnership forums in various local government areas were set up[75] Through these forums it became routine for communities to hand suspects over to the police for investigation and prosecution rather than the resort to jungle justice. During such sessions, the members were also educated on why suspects of minor offences are released on bail prior to arraignment in court.

Following the community police partnership project, a community policing project was started in 2005, using Lagos as a pilot state.

To strengthen the efforts of CLEEN, the Network on Police Reform in Nigeria (NOPRIN) – a coalition of twenty organizations working on issues of police reform and crime prevention was established.[76]

International Support for Police Reform in Nigeria

Community Policing, though a new concept in Nigeria, is well established in various parts of the world. As far back as when the London Metropolitan Police was established, Sir Robert Peel set forth a number of principles, one of which – "the police are the public and the public are the police" - could be considered the seed of community policing.[77]

Notable among the nations which have supported the reform efforts of the Nigeria Police since the transition from military to civil rule in 1999 are Great Britain and the United States of America.[78]

In the United States of America, the history of policing and police research during the last quarter of a century have shown a change in the nature of communities, and a shift in the characteristics of crime and violence that affect these communities. Between 1968 and 1973, agencies of the United States Department of Justice, in collaboration with countless police departments played a major role in

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74. Cleen Foundation...Justice Sector Reform,http://www.cleen.org/comm..html, visited on 18/01/2006.

75. They include Ahiazu Mbaise in Imo State, Umuahia South in Abia State, Onitsha North in Anambra State, Udenu in Enugu State, Ipokia in Ogun State, Abak in Akwa Ibom State, Ibadan in Oyo State, Alkaleri in Bauchi State, Riyom in Plateau State, Numann in Adamawa State, Sabongari in Kaduna State and Adavi in Kogi State, see Community Policing and Conflict Management, op.cit.

76. Innocent Chukwuma: "Responding to Vigilantism", op.cit.

77. "Tracing the Roots of Community Policing" in Understanding Community Policing, op.cit.

78. Human Rights Watch, op.cit.

stimulating, supporting and disseminating research and technical assistance in training and research on policing methods.[79]

Many of the findings from such research have a direct bearing on contemporary community policing efforts. By getting to know members of the community, valuable information about criminal activity could be obtained by the police. They were also able to obtain realistic assessments of the needs of community members and their expectations of police services.[80]

The British Department for International development collaborates with Nigeria since 2002 to develop the quality of police service delivery, improve the effectiveness of informal policing systems and help develop processes for conflict prevention, resolution and management.[81] The main vehicle for this collaboration is a program of community policing which aims to transform the culture and organization of the police, improve police/citizen's relationship as well as quality of service by police. The six key components of this program on community policing are:

- Creating awareness of community policing both within the police and the society at large;
- Introducing intensive skills development and leadership training of local police officers;
- Examining police structures and organization;
- Reviewing training curricula and methodologies of the police;
- Developing intelligence led policing and the use of new technology; and
- Reviewing legislation and procedures.[82]

The above stated program involves the training of Community Policing Developers' (CPD's) from selected police officers which is aimed at bringing about attitudinal change through leadership training and skills development. Enugu was used as a pilot state in this regard.

The Government of the United States of America, through the International Criminal Investigative Training Assistance Training Program (ICITAP) of the Department of Justice, started a change management program in Nigeria in 2002. This program has its focus, among others, to develop a community-policing program. It has as its overall goal, to help the Nigeria police improve its management capabilities, through a police modernization implementation committee to see the Nigeria Police transformed into an effective, fully-functioning

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79. Ibid.
80. Ibid.
81. British Council security, Justice and Growth Program, Nigeria Police Community Policing Document in Human Rights Watch, op.cit, p.4.
82. Human Rights Watch, op.cit.

organization that serves and protects the public while respecting human rights and human dignity.[83] The ICITAP also has a community-policing project to serve as a vehicle to reduce ethnic violence caused by high unemployment, religious fanaticism and political polarization of the under-educated and the unemployed.[84] Kaduna was used as a pilot state.

Following the efforts being made by the international community, a former Inspector-General of Police, Mr. Tafa Balogun visited three police departments in the United States of America between December 2003 and March 2004 to understudy their implementation of community policing and how it could be adapted to the Nigerian situation. It became evident that there were a number of principles and components that were critical in the implementation of community policing anywhere in the world irrespective of any peculiar "situation". These include: the orientation towards problem solving, the articulation of policing values that incorporate citizen involvement in matters directly affecting the safety and quality of their neighbourhood life, constant communication, interaction and accountability to the community. Others are, permanent beat assignments to officers which allows them to become an integral part of the community, the organization of training programmes providing information to officers at recruit level as well as performance evaluation, and the decentralization of authority and structures of police authority and structure following the pattern of community policing, where the decision-making process expands significantly to include community members.

Balancing Police Powers and Duties with the Protection of the Rights of Citizens through Community Policing.

It is the duty of the government through its agencies, which include the police, to provide security to its citizens. In doing so however, it also has the duty to protect its citizens from the abuse of their fundamental human rights by members of the police which have sworn to protect them.

According to Odekunle:

"The central objective of policing is to provide security, or at least a social and psychological feeling of security, for a majority of citizens, in a majority of places, and for the most of the time. And this central objective is a summary of the following sub-objectives which are prerequisites to that of security.

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83. International Criminal Investigative Training Assistance Program (ICITAP): ICITAP Project Overviews at http://www.usdoj.gov/criminal/icitap/TextNigeria.html visited on 18/01/2006. See also The United States Diplomatic Mission to Nigeria: Information Section – Crossroads, op.cit.

84. Ibid.

- To prevent, control and combat criminality wherever and by whoever;
- To maintain public order and peace;
- To render assistance and service to all citizens needing or requiring security; and
- To favourably symbolize the law and the government by always upholding the rule of law.[85]

The shift to Community Policing will provide a standard by which police departments are judged, based on their ability to balance their duties and obligations.

Community policing requires major internal changes and requires rethinking the ways in which the police relates to the citizens. This can be achieved partly through the review of the Police Act 1943 thereby bringing in essential provisions which were hitherto not provided for. The Police Act is a colonial law which has seen no comprehensive review since its promulgation in 1943.

The Act as it exists presently does not, for example, provide a code of conduct which includes the prohibition of torture. Torture is one main act of inhuman treatment that the Nigeria Police is frequently accused of. This and other forms of inhuman treatment are condemned both by the United Nations (U.N.) Code of Conduct for Law Enforcement Officials and the fundamental human rights provisions of the 1999 Constitution.[86] Article 5 of the *U.N. Code of Conduct* states that

> "No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or ant other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment".

Efforts are presently going on to review the Police Act. This started in November 2004 by an interagency committee comprised of the police, government and civil society representatives. A review of the present Act is essential, but it is our view that the rewards will only be felt by the citizens if positive policy initiatives, more specifically, community policing is fully embraced. This will guarantee the long-term sustainability and insulate the good work of the police from the whims of political leadership.

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85. Femi Odekunle: "Overview of Policing in Nigeria: Problems and Solutions" in Crime and Policing in Nigeria: Challenges and Options op. cit. p.22.

86. Chapter IV

Criticism of Community Policing

Even though community policing as a concept has received largely uncritical acceptance, this in itself, that is, the acceptance with which this notion has been welcomed, is itself a danger according to one writer.[87] Since community policing needs the consent of the citizens to be effective, where such consent is not given and the police change back to law enforcement due to need, the community will feel that community policing has been abandoned.

Community policing has been has been again criticized as an "ill-defined and internally contradictory vision that would sacrifice legality, liberty and efficiency".[88] This view seems to be hinged on the fact that so long as there is crime, law abiding citizens will have enough reason to justify the need for the police in the traditional form.

It has been argued that the police do not really want to make any changes in their behaviour and are using community policing to gain legitimacy.[89] It has been claimed that community policing programs give very little real power to the community and have seldom served as a handle for real reform of brutal police departments.[90] Also pointed out is the fact that community policing fails to address the problems of practical and constitutional limits to police actions.[91]

Despite the criticism which could in some in some aspects be substantiated, community policing is a serious concept which will eliminate law enforcement's adversarial relationships with law abiding citizens. Community policing can have a positive influence on the way police officers use their discretion while enforcing the law. Research carried out in the United States of America to determine the patterns of police discretion has shown that officers who were favourable to the community policing concept made fewer arrests than other officers. It was also shown that these officers made their arrests based on and guided by legal considerations and made less discriminatory based decisions.[92]

87. Waddington P: "Community Policing: A Skeptical Application" in Norton R (Eds.); Law and Order in British Politics (1984), Gower, London, p.84 – 99.
88. Quoted in Bertus R Ferreira; Op.cit.
89. Klockers C.B, Ivkovich S.K., Harver W, Haberfeld M.R: "The Measurement of Police Integrity", National Institute of Justice Research Brief, May (2000), Office of Justice Programs U.S Department of Justice, Washington D.C. at http://www.wits.ac.za/csvr/papers/papoli 14.htm, visited on 24/05/06.
90. Quoted in; Bertus R. Ferreira; Op.cit.
91. Ibid.
92. US National Institute of Justice at www.ojp.usdoj.gov/nij/journals/welcome.html, visited on 24/05/06.

Recommendations and Conclusion.

The concept of Community Policing has been described as the only way forward from a militarized to a humanized police.[93] Policing and police service delivery are essential in the sustenance of democracy.[94] A legislation to back up the concept of community policing is therefore essential so as to give it a legal standing. The speaker of the House of Representatives acknowledged the fact that the concept of community policing has gained worldwide acceptability as a mark of its success over the traditional concept of policing.[95] Legislation to back the concept is therefore presently on the front burner.[96] This is part of the government's effort at the development of a new justice system which is in line with the constitution and democratic values.[97] While acknowledging the fact that this change will involve a process as opposed to an event, it is our view that change must be speed up to meet with the expectations of the citizens especially those of the poorest and most excluded communities.

The process of evolving from the traditional concept of policing to that of community policing will require an Act passed into law by the National Assembly. This is however the easy part. The whole fabric of the Police will need new upholstery for the new system to work.

The training of line officers within the police is of utmost importance since they constitute the foundation that, over time, can change the culture within the police in ways that can allow Community Policing to flourish. As has been mentioned in this paper, certain pilot projects have been carried out in some states. If Community Policing is however to become a nationwide commitment, it must be expressed by all line officers. This is because if Community Policing is viewed as a "specialty" assignment only handled by a few, the rest of the police will revert to business as usual.[98]

This paper calls for decentralization of the police in line with Community Policing as it will encourage residents to think of the police as their friend and even become protective of them. This will make the police officer feel safer and also encourage residents to come to the aid of a policeman in trouble where they might not have done so before.

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93. Assistant Commissioner of Police Austin Iwar, Daily Sun, May 12, 2004 p. 1 available at www.sunnewsonline.comwebpagesnewsnational.

94. Fredrick Bozimo: "Nigeria: Legislature on Community Policing Soon", This day, November 9, 2004. See Justice Initiative available at http://www.justiceinitiative.org/db/resource2?res_id=102328 visited on 18/01/2006.

95. Aminu Bello Masari: This Day, November 9, 2004, op.cit.

96. Ibid.

97. Bayo Ojo: op.cit.

98. Ron Sloan, Robert Trojanowicz and Bonnie Bucqueroux: "Basic Issues in Training", available at www.policing.comarticlestraining.htrhl.ht, p.2.

It is our view that Community Policing in Nigeria will most certainly be an antidote for the high level of crime being experienced in the country at present. This is because it differs from the traditional police punitive strategies of crime prevention. The concept of Community Policing focuses on strategies that help prevent crime, reduce the fear of crime and thereby improve the quality of life of the citizens.