



Uluslararası Sosyal Arařtırmalar Dergisi
The Journal of International Social Research
Cilt: 4 Sayı: 17 Volume: 4 Issue: 17
Bahar 2011 Spring 2011

INTELLIGENCE INFORMATION AND POLICING IN NIGERIA: ISSUES AND WAY FORWARD

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Abstract

Recent happenings in community based violent crimes have shown the ineffectiveness of the Nigeria police in security and intelligence-information gathering in nipping criminal and deviant activities in the bud. Contributively, capacity building and the failure of the state to qualitatively invest in modern policing strategies with regards to the socio-cultural characteristics of the nation have not helped matters. Similarly investment in police intelligence has not been taken seriously unlike the pre-colonial era. This paper examines the Nigerian police and policing strategies especially in relation to intelligence-information gathering since independence. The study is anchored on system theory with emphasis on the survival and efficiency of different subunits in the maintenance of the society. Major findings revealed that despite modern and community policing trainings, changes are still being described as combative and reactive rather than proactive. Also over the years investment in policing has dwindled and mainly responsive for the continuous breakdown in law and order in major cities. Therefore this paper suggests among others, that the concept of true federalism should be incorporated in the Nigeria policing structure in line with the American model of policing.

Key Words: Intelligence Information and Policing In Nigeria: Issues and Way Forward.

Introduction

Security of life and property is a fundamental human right guaranteed under the constitution. Efforts have been made by successive administrations, especially since 1999 to provide this. However, growing poverty, wide income disparities, high level of unemployment, social dislocation caused by massive rural –urban migration and the breakdown of societal values leading to business frauds (419, drug abuse etc), and community unrest account for the growing concern about the level of uncertainty and security in parts of the country. The institutions that were established to guarantee security to the ordinary citizen are incapacitated by limited manpower and skills relative to society's demand, poor funding, poor equipment and general lack of proper orientation and commitment by some operatives. A weak economy can only aggravate the situation (Otubu, and Coker, 2006).

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In its effort to improve on the situation, the Government has taken several measures among which are the establishment of the Independent Corrupt Practices Court, the Economic and Financial Crimes Commission (EFCC), the implementation of the recommendations of the Justice Kayode Esho Commission of Inquiry, strengthening of institutions such as NAFDAC and substantially raising the manpower strength, equipment and mobility of the Police. However, a lot still remains to be done to attain the level of security and the administration of justice, which Nigerians deserve. There are several legislations and regulations put in place to assist the police at carrying out this duty of protection of life and properties of the citizen and the provision of internal security of the nation. One of such legislation is the Police Act. By virtue of the provision of section 4 of the Police Act:

“The police shall be employed for the *prevention* and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulation with which they are directly charged....”¹

Arising from the above provision and in line with the topic of this paper it can be said that there is a bit of silence on the way and manner policing should be done regarding information gathering. This paper therefore seeks to focus on Nigerian police and policing strategies especially in relation to intelligence-information gathering since independence. To do justice to this, outside the introduction, this paper proceeds to examine the concept of crime prevention and its corollary effect on crime detection. In doing this, the various schemes and practices of crime prevention and detection strategies being used by the police in furtherance of their responsibilities under the police Act as stated above, shall be examined while also discussing the role of the members of the community in the exercise. Conclusions and suggestions will therefore be made.

Policing in Nigeria

In practice, policing in Africa is much less clearly defined than in Western countries, and its definition probably needs to be broadened beyond the activities of formal groups. In Nigeria, for instance, policing must be understood in relation to the activities of the Nigeria Police Force, the military (some of whom may be deployed as special police units), some eight or more paramilitary units, various palace guards, numerous quasi-official units in various states, and miscellaneous thugs associated with strongmen. Groups such as the Bakassi Boys, Oodua Peoples Congress (OPC) who drive around in police vehicles and are financed some state governors; provide vigilante-style policing (Heap, 2000; Ismail, 2008). As a result it is difficult at one time to decide whether operations such as the Nigerian military's Operation Sweep in Lagos during 1996-1998, described as an anti-crime measure, should be understood as a policing or a military action. However the purpose of policing in Nigeria has not fundamentally changed in recent decades so it also represents a laboratory for Security Sector Reforms (SSR).

The Purpose of Policing in Nigeria

It provides a laboratory for us to think about the role policing may play in SSR and it illustrates some of the ways in which the police interact with other actors in the security sector. Looking back at police reform in post-colonial states provides a useful

¹ Section 4 Police Act Cap 359 LFN 1990

perspective. Its time span also provides us with an opportunity to identify the factors systematically preventing or inhibiting fundamental change in policing (many of which apply to transitional states in other regions). From an examination of police reform in the post-colonial states of sub-Saharan Africa it is clear that African police forces evolve, not in the sense of a linear progression towards a Western model of catching criminals and being publicly accountable but through adapting to political developments and accommodating regimes. As a result, historical inheritance, socio-political pressures, personal ambition, political contingencies, and institutional resilience have shaped them much more than any aid programme. Based on this record, Hills (2001) noted that Security Sector Reform programmes have yet to engage with the nature of the political power inhibiting effectiveness of the police. There is no doubt that, since the mid-seventies, Nigeria has been experiencing what is referred to in criminological literature as a "crime-problem" (Odekunle, 2005). A situation where crime, in terms of incidence and seriousness, passes from the normal or tolerable level to the pathological state is worth calling a social problem, which requires a multiple task on the part of the police, the community and government. The task of crime prevention is an hazardous and tedious exercise. Not only must the police officers be intelligent, brave and assiduous at duty, the organization must provide the wherewithal with which the police officer must do the task. In carrying out crime prevention tasks, the Nigerian police have availed itself of all of the following mechanisms:

(a) Beat Patrols

A beat is the area which a particular constable or group of constables is detailed to patrol during a single tour of duty. It may be a precinct in a city or town embarrassing as small as a couple of streets, roads, or as large as a kilometre radius, depending on the density of the population, the known rate of crimes, the economic or administrative importance of the establishment or building in the area. In the rural areas, it may be a collection of villages or hamlets or a stretch of kilometres of our national borders. Depending on the size, nature and extent of the beat to be covered the concerned police officer may go on foot, bicycles, horse backs, or vehicles, and where necessary with the assistance of police trained dogs (this has become rare and non existence after independence). The primary object of the beat patrol system is to disperse policemen in a way that will possibly eliminate or reduce the opportunity for misconduct and to increase the likelihood that an offender will be apprehended while he is committing an offence or immediately thereafter. The strong likelihood of immediate apprehension, no doubt, has a strong deterrent effect on potential offenders (Ismail and Abiodun, 2007).

Going by this, most crime would have been nipped in the bud and the attendant cost of prosecution, and incarceration would be avoided. A corollary effect of the beat system was the moribund policy of posting DPO to their locality in the 70s and 80s. the situation was such that Otubu and Coker 2000 lauded the policy, as well as highlighting the Nigerian Factor in the body polity for its demise. The policy would have gone a long way at assisting the police in their crime prevention duties and stem the tide of official corruption in the institution. Arguably, a police officer working within his locality is more likely to know the dark spots in the area and probably the criminals and potential criminals in his neighbourhood. As an indigene he will be

circumspect at collecting bribes from members of the community as victims can easily trace his roots in the community and thus become stigmatized.

In as much as this system is cheap on the long run and desirable in its import, it will not work well in an environment of distrust, ethnic bias, nepotism and corruption. The system will also fail except and unless there is adequate logistic and institutional support both from the government and the private sector in the country. Since the system rests strongly on prompt, efficient and effective communication network, it may fail where there is no support system like good roads reliable communication system and efficient energy backup. Also, the initial capital outlay for the implementation of the system nationally may be outlandish. In spite of this however, one may also agree that crime detection and prevention task has improved since the introduction of GSM phones in the country.

(b) Anti Vice Squads

This is a surveillance squad operating in disguise and carrying out intelligent surveillance of areas that one potentially breeding grounds for various vices such as gambling, prostitution, rioting etc. They operate at large gatherings, public places, and motor parks etc where theft and affray have been found to be rampant. The objective of the squad is to gather information and provide proactive measures to prevent the commission of crime and where that fails, to at least immediately apprehend the criminals at the point of commission of the offence. This measure has been used at various times, with varying degrees of success, by the police authorities to carry out raids on these breeding places of crime. Such raids have led atimes to arrest and prosecution of drug users and peddlers, arms dealers and robbers etc. Through the system is good as a measure of crime prevention, its use over a long period of time is doubted. Not only is it expensive to run on a long time basis but it also imparts negatively on the public image posture of the police; for it implies a fire brigade approach to crime prevention and management. The system can also be easily abused by overzealous police officer.

(c) Stop, Detain and Search

By virtue of the powers conferred by the provision of section 25 of the police Act, a police officer on beat is expected to be vigilant and on his suspicion being aroused, entitled to stop, detain and search any person whom he reasonably suspects of having in his possession or conveying in, any manner anything he has reason to believe has been stolen or unlawfully obtained or with reference to which an offence has been committed. This mechanism, when sedulously employed in a police jurisdiction, yields tremendous results for detecting offences, as much as preventing them.

(d) Specie Escorts

Armed policemen guarding large sum of money, valuables or explosives in transit is a service rendered free of charge to governmental and quasi-governmental agencies, but on payment of fees, to private organizations and individuals.

(e) Static Guards

This was a time honoured important anti crime prevention model adopted in advance world and partially in Nigeria during the colonial era and the first republic. Through this model police guards are provided at public institutions and places to

check ingress and exist of customers and clients etc and prevent crimes in relation to such establishments. It is true that this crime prevention method has been overshadowed with the developments of close circuit monitors, it is still however been used with respect to public institutions and installations. The recent experience of guarding NNPC installations by arms guards readily comes to mind with regards to the series of successful vandalisation of the oil pipelines in the Niger delta region (Ikelegbe, 2005; Ahmed, 2006; Ikporupo, 2007).

(f) National (Internal) Security

The police in collaboration with the relevant state security agencies also provide surveillance network on the activities of persons considered security risks in order to prevent sabotage and subversion of the nation and its established institutions. Nevertheless internal security over the years have been described as pathetic as notable as well as unknown individuals have lost their lives, and till date these a lot of these deaths have not been resolved based on either the slow pace of investigation processes in the Nigeria force notable murder cases that have not been resolved and till under investigation are that of the killers of Chief Bola Ige, former Minister of Justice in December, 2001 at Ibadan; Barrister and Mrs. Igwe in September 2002 at Onitsha; Alhaji Isiaku Muhammed in September, 2002 in Kano, Sir Theodore Agwatu in February 2003 in Owerri; Chief Ogbonna Uche also in February 2003 and Dr. Harry Mashall in March, 2003 among other attempted cases of murders and theft cases. Situations like these have called the Nigerian police and policing strategies especially in relation to intelligence-information gathering since independence to questions. Accounting for these is the dismal image of the police overtime which has also led to the non-cooperation by the public who are often reluctant to volunteer useful information to the police (Olujinmi, 2004; Bruce and Neild, 2004.). Yet, the tasks of crime prevention and detection as well as prosecution of offenders cannot be successfully performed without the cooperation of the public. It is in this regard that Odekunle (2004) highlighted the challenges facing policing under four major yardsticks of:

- Effectiveness (fewer or reduced criminal victimization; higher proportion of crimes known to the police cleared by arrest; increased recovery of stolen property; higher rates of arrests which result in conviction; lower traffic accident rates; faster response time to reports/complaints).
- Responsiveness (higher citizen perception of safety from crime; higher citizen ratings of police performance in general; higher citizen ratings of specific police activities; higher citizen ratings of specific aspects of police conduct such as honesty, integrity, courtesy and fairness).
- Equity (with reference to egalitarian distribution of "protection" to all sections of the population).
- Efficiency (with reference to cost-and-benefit analysis of "protection" output relative to monetary, human and material in-put).

Based on the above meanings and measurement of efficient policing, there is no doubt that policing in Nigeria is not where it was after independence. Judged by the yardsticks outlined, it has long been clear to a majority of Nigerians that the Nigeria Police Force falls short of optimum performance especially in the area of intelligence and information gathering.

Community Responsibility for Crime Prevention

Public hostility and indifference are the most perplexing problems the police force is experiencing today. The Nigerian public has come to demand so high an expectation from the police. The top hierarchy of the Nigerian Police Force do not begrudge them for doing so. No one is more sensitive to the great and urgent need for more efficient and effective law enforcement than the top brass of the force. They not only appreciate but also concede that without the full and in compromising support of the public, their efforts cannot fructify. The problem however is that the public do not advert their minds to the limitations placed on police capabilities by various factors not of their own making. The individual citizen fails to appreciate that he is equally responsible for law enforcement and that he has powers and obligations under the law to accomplish this task. If he was an eyewitness of a crime, he would rather decide to look the other way than perform what one may regard his civic, if not legal, duty to come forward to give the police necessary information in his possession.

Amongst the many criticisms that have been levelled against the police and quoted as responsible for the not too inspiring police/public relations are the followings:

- i The police are too corrupt
- ii The police are high headed and prove too combative rather than proactive;
- iii The police delay members of the public unnecessarily at police stations, even when they are complainants or witnesses.
- iv The police are inefficient and hence continuous harassment of the public who ought to be partners in the investigative and crime preventive strategies

Irrespective of these shortcomings of the police which is futile to deny, individuals and communities within the society owes the singular responsibilities, amongst others, to be conscious of their self preservative rights. This right is best exemplified when you try to anticipate and prevent yourself from being harmed by action of others. By so doing individuals are carrying out their civil and legal duty of crime prevention in the society.² This task of crime prevention is not achieved through retaliatory actions or pre-emptive violence but by promptly reporting such incident or fact to the law enforcement agency, the police or any closest agency depending on the urgency. In essence all hands must be on deck to achieve the task and we all have a responsibility and a role to play in the task of crime prevention. The situation at hand reveals the lost of interest in Nigerian police and invariably this have made a lot of people who hitherto knew their obligation to have either forgotten or deliberately ignore their self preservation duty of reporting crime to the police by virtue of the provision of section 34(b) of the Criminal Procedure Act, which states that every person is bound to assist a Police officer the preventive or suppression of a breach of the peace".³

² Section 24 (1) Police Act.

³ Sections 201 and 200 of the Criminal Code.

Effective and Efficient Policing in Nigeria: Inadequacies, Problems and Obstacles

There is abundant official and research confirmation of this assertion, apart from information in the daily newspapers, and there is no need to "prove" the non-optimum performance of the Nigeria Police Force in the present contribution. Rather, what is needed is the identification of the major inadequacies, problems and obstacles that are responsible for the situation. And these may be grouped into three categories: material inadequacies; human problems; and obstacles external to the Force.

Material Inadequacies: Material inputs in terms of funding, crime-prevention/control, detection, investigation, traffic-control and accident-prevention, communication and data-gathering research needs are not only inadequate but are unrealistic as well. The authorities of the Nigeria Police Force have always provided the technical details of these material inadequacies, even if sometimes exaggerated for obvious reasons. For example, between 1994 and 2003, the amount of funds actually released to the police relative to its request for capital vote ranged from 0% for 2003 to 9.5% in 1998; and for overhead costs, amount released ranged from 4% in 2003 to 5% in 1998 and 2002. Yet, the Force is supposed to cover a population of about 120 million Nigerians, spread over more than 926,000 square kilometres of land.

Human Problems: Had the quality of the human or personnel resources of the Force been optimum, the material inadequacies might have been partially ameliorated. In other words, the Nigeria Police Force has human problems that not only aggravate its material insufficiencies, but are also of tremendous adverse import on its general performance from one day to the next. The following are the major factors responsible for this category of problems:

- The colonial origin and heritage of the Force which continue to influence the selection, training and orientation of a majority of policemen;
- Improper, inefficient and, sometimes corrupt and nepotistic methods of recruitment (bad enough to require a re-vetting exercise for some recruited officers in 2002 and 2003 respectively)
- Insufficient length of training-period and attention in training recruits for the "rank and file";
- Lopsided emphasis (in training curricula) towards "drill", para-military work, and "mechanistic" teaching of law and police-work;
- Exposure of recruits to only "professional police officers" and only in exclusive police institutions;
- Existence of "deviant" but durable "police sub-culture" which moulds the "working personality" of new constables;
- Discourtesy, nonchalant attitude to reports of citizen complaints, dishonesty, corruption, abuse or misuse of the authority to arrest, detain or use force by a substantial number of policemen on the streets, in the station, etc;
- Organizational emphasis on "episodic" raids and "temporary" successes instead of systematic beat; and the scape-goating of the so-called "bad-eggs" instead of engaging in systematic re-orientation of policemen;

- Offensive aggression, potentially and actually, manifested by the reputation ("notoriety" is better word) and "macho" conduct of the Mobile Police (e.g. suppressing rather than managing riots and demonstrations);
- The adverse effects of the last two factors in producing a negative public-image for the Force;
- The adverse effects of the last three factors in fostering a poor police-community relations;
- Discouraging salary, conditions of service, rank-mobility, promotion criteria and procedure for the "rank and file", recent efforts to improve the situation notwithstanding;
- Insufficient usage, if at all, of outside help (e.g. research) because of police traditional obsession with "security" and a "know-all-about crime" mentality.

Other Obstacles Include:

- Absence of an overall crime-prevention/control policy, body and planning;
- Political interference and the feeling of accountability by the Force to the "government of the day" rather than to the rule of law and the people (i.e. a carryover from the colonial period and the succeeding military regimes);
- A materialistic, greedy, corrupt and indiscipline socio-economic environment (i.e. a society gets what police force it deserves); and
- The burdensome character of our inherited legal system (from the substantive and procedural law through justice-administration to offender-correction) which has never been meaningfully or social-scientifically reviewed to make justice "real" rather than "technical", and speedy rather than delayed.

The Way Forward: A Systemic Approach

There are no quick fixes to the problem facing the Nigerian Police. Improving training or salaries alone, or pressing criminal charges against selected individuals, will not produce more than shallow and short-term results if programs do not also correct broader institutional weaknesses that permit, enable, or encourage corruption. International experts agree that policing reforms are long-term, even generational, efforts (Uruena, 2003; Uzendo, 2006; Neild, 2007,). While important results can be achieved in the short term, consolidating and sustaining those achievements over time remains a major challenge. Given constant opportunities for corruption in policing, it is important to take systemic and long-term approaches. Programs that address police corruption as part of a larger focus on good governance across all state institutions may face less resistance than programs that make the police feel singled out. It is equally important to identify and address linkages across the criminal justice system as a whole.

At the simplest level, when police believe that judges are "bought off," they have little incentive to pursue a serious investigation and every reason to take the bribe themselves before the case reaches the courts. In reality, a series of linkages exists in efforts to increase probity and professionalism across the criminal justice system. Efforts to enhance judicial independence and improve access to justice should be

aligned with policing reforms: projects addressing judicial independence could undertake parallel initiatives to improve the operational independence of the police. Both police corruption and the conduct and success rate of criminal prosecutions may be addressed by strengthened prosecutorial and judicial oversight of police investigations. Prosecutors and courts must hold the police criminally liable for acts of corruption. Projects that aim to improve the speed of trial processes through better case management could include systems to register and track detainees in police cells and help restrict abuse. Despite their potential efficiencies, these and other synergies between police and justice reform are too little explored. Major focal concerns in restoring a better policing system should therefore be on:

1. **Democratic Policing:** Within the police, reform strategies that emphasize accountability, transparency, and professional practices should produce overall gains in efficiency, as well as greater responsiveness to the communities they serve. Good democratic policing practices, such as improving standards, selection, training, and salaries, can contribute to improved conditions of service, capacity, professionalism, and morale. The introduction of performance indicators and well-defined job descriptions will support merit-based systems for assignments and promotions.
2. **Build Public Support:** In settings characterized by weak or absent political will, building public awareness of the extent and dynamics of corruption and generating pressure for change may be essential first steps toward institutional reform. Strong demand-side pressure for performance enhancement is equally as important as institutionally focused initiatives. Ongoing public concern is especially necessary in the face of allegedly competing priorities, such as rising crime, which allow police to argue for increased powers rather than increased accountability. A more informed public and policy debate would benefit from reliable data. Public perceptions of corruption tend to be very general, and police corruption is often viewed as endemic even where specific dynamics are, in fact, more limited. Widely shared misperceptions can feed accusations of corruption when police conduct legal actions such as levying fees for certain services and issuing on-the-spot fines. Research and information campaigns can provide insights into practices and problems and identify constructive solutions that reform advocates can use to keep the issue on the public agenda even when reform efforts may be stalled. Nevertheless, caution should be exercised in building external strategies that focus exclusively on police corruption, particularly criminal corruption, but also politically biased policing. Civil society groups may be subjected to reprisals and even attacks in response to public revelations and criticisms. A risk analysis and careful consultation with potential civil society partners should be undertaken as part of the assessment and development of an external strategy on police corruption.
3. **Counter Police Resistance:** Police have considerable capacity for resistance. Police are also keenly aware of the political impact that their action or inaction may have for a government, and can seek to temper official pressures by asserting the need for resources, powers, or political backing in order to deal effectively with social unrest, demonstrations, and other public order issues. Political pressures that challenge deeply vested police interests may compete with a government's need for effective police action, particularly in highly visible public order policing. In these

settings, the clear ability of the police—through act or omission—to produce negative political outcomes can result in a softening of government support for reform.

4. **Recognize the Limits of Community Policing:** The introduction of community policing strategies does not necessarily address police corruption neither does it enhance Intelligence Information gathering all alone. Police may as easily become embroiled in local power structures as national ones, and with greater distance from accountability mechanisms that are too often located only in capitals and large cities. Local needs policing was implemented to positive effect in the context of a holistic police reform as shown in Sierra Leone (Horn, et. al., 2006). This contrasts, however, with less positive appraisals of the impact of community policing in Uganda and Kenya, where recent human rights reports argue that community policing should only be implemented once systemic problems in policing have been addressed (Commonwealth Human Rights Initiative, 2006). These latter experiences suggest that clear national standards and accountability mechanisms should be in place before implementing community policing to avoid the risk of reinforcing undemocratic local authorities and power structures.

Conclusion

With a total police force of about 110,000 in 1999, the number of the force has almost quadrupled in the last decade to about 410,000 in 2009 (). The challenge now is to make the police more effective. To enable the Nigeria Police meet the challenges of modern policing and crowd control, as well as eliminate the incidence of corrupt tendencies, a major thrust of policy will be to build capacity through training of police personnel, pursue paradigm shift in orientation of the police force and better equip the force to improve its image, responsiveness to distress calls and adopting a more proactive approach to crime prevention and detection. Specific initiatives will include:

- Re-orientation to improve the quality of service;
- Increased use of scientific methods in policing – to enhance the quality of evidence and investigation;
- Introduction of appropriate equipment and development of an exclusive communication system - to improve police effectiveness; and
- Capacity Building, Training and Re-training as well as involvement of communities in policing

The police will be properly trained and equipped to enhance their effectiveness in combating crimes. The level of entry into the force will be raised to a minimum of OND, gradually rising to HND and degree level. With the advent of the GSM telephony, sophisticated gadgets and improved fleet of vehicles, the performance of the police should increase.

Lastly In as much as the above mentioned initiatives are cheap, achievable on the long run and desirable in its import, it will not work well in an environment of distrust, ethnic bias, nepotism and corruption. The Nigerian Police is part and parcel of the entire system, it can only get better if adequate logistic and institutional support from the government, community and the private sector are properly harnessed in the state. Since the system rests strongly on prompt, efficient and effective communication network, it may fail where there is no support system like good roads reliable

communication system and efficient energy backup. Also, the initial capital outlay for the implementation of the system nationally may be outlandish. In spite of this however, you will also agree with me that crime detection and prevention task has improved since the introduction of GSM phones in the country and much is still expected.

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