

The Nigeria Police and Crime Control in Kwara State

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ABSTRACT: *The paper traced the history of Nigeria Police Force. It examined the constitutional functions of the Nigeria Police and examined the challenges facing Nigeria police in combating crime. The study was anchored on secondary data. Findings from the paper showed that the Nigeria police force has been curtailing crime through regular patrol, arrest and prosecution of criminal and giving out sensitive security information to the public on their safety. The paper recommended that police should be well funded and there should be creation of employment opportunities in order to reduce crime in Kwara State.*

KEYWORDS: *Police, Crime, Control, Model*

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I. INTRODUCTION

The Nigeria Police Force like any security institution in every country of the world is mandated to serve and protect its citizens from internal aggression. Balogun (2002) states that: "It is the duty of the Nigeria Police Force to protect every citizen as well as foreigners in our land. I must admit that by the time I came in (as an Inspector General of Police), security was below average and crime wave was high". Emile Durkheim (1950) posits that "crime is present in all societies of all types". The police represent the organ of government charged with the responsibility of law and order maintenance. In the course of the performance of its statutory role to the society, the Nigeria Police Force has been found wanting in one way or the other. Often times, the officers of the force are being accused of brutality, violating fundamental human rights, extra judicial killings, aiding and abetting criminal activities, engaging in bribery and corruption (Daily champion, 2002). Conversely, the police officers complain of poor salaries which are irregularly paid, no life insurance policy, indecent and insufficient barracks, lack of ammunitions, and absence of motivation packages etc. in the face of hazardous duty they perform and are expected to perform (Punch 2002).

The climax of the complaints resulted in the first ever strike by the junior cadre of the force in February 2002. Such action gave room for hoodlums to attack many Nigerians on the highway and within the metropolis. For instance, the armed robbers operated frequently along Ilorin-Jebba highway of Kwara State during the strike. Greed and jealousy rank high in trying to discern the motive behind any crime. For example, a man can rob to satisfy his perverted idea of what society expects of a successful fellow, just as another may not flinch having to kill, to assuage an injured age. Similarly, policemen face challenges in the process of law enforcement. The point being made is that officer and men are not usually granted free hand in the execution of their job. In respect of the nature and dimensions of crime, what is important is what the stakeholders in the society do in controlling, managing or preventing the crime situation. For example, the operation harmony police squad is just a camouflage because police have failed to tackle thugs and drug dealers in the State. In fact, many of the thugs in Kwara are police friends and they exchange India helm and alcohol together (Amin,2011). Against this background, this paper examines the issue of crime, the roles of Nigeria Police in maintaining law and order, the impact and challenges of Nigeria Police Force on crime control.

II. OBJECTIVES OF THE STUDY

The objectives of the study are as follow to:

1. trace the historical background of the Nigeria police
2. examine the roles of the Nigeria police in combating crime
3. establish a nexus between Nigeria police and crime control in Kwara State.
4. examine the challenges facing the Nigeria police in the discharge of its roles and functions in a democratic dispensation.
5. proffer recommendation for better ways of combating crime by the Nigeria police in Kwara Sate.

III. RESEARCH QUESTIONS

The paper answers the following questions:

1. What is the origin of the Nigeria Police Force?

2. What are the roles of Nigeria Police in relation to crime control?
3. What is the impact of the police on crime control in Kwara State?
4. What are the challenges facing Nigeria Police in its efforts to control crime?
5. How could Nigeria Police be better encouraged and equipped to control crime in Nigeria?

IV. CONCEPTUAL DISCOURSE

Stephen (1998) defines Crime as act forbidden by law and revolting to the moral sentiments of the society. It is an act forbidden by the law under pain of punishment. Crime is an act that is capable of being followed by criminal proceedings, which provides scholars with a wide classification of the term in that the only common element of crime is that previous legal proceedings have outlawed it as such. Crime may also include any action or omission which causes harm to a person or property or in any way violates the criminal law. Crime can also be understood as a reflection of the law of a particular nation-state; an act can only be defined as criminal in accordance to the laws of the state in which it was committed. What may be considered a criminal action in one state or country may not be viewed the same way in another.

Police is a body of government employees trained in methods of law enforcement and crime prevention and detection and authorized to maintain the peace, safety and order of the community. In other word, of persons empowered by the state to enforce the law, protect property and limit civil disorder. Policing has included an array of activities in different situations but the predominant ones are concerned with the preservation of order. Police constitute one of the key institutions of a modern state. In particular, the origins, development and role of the police have not only prevented and detected crime but also maintained law and order, preserved public safety and generally buttressed the existing governments, which were at first British and later Nigeria.

V. EMPIRICAL REVIEW

Alcock (2005) discusses very fundamental issues on crime prevention and detection. His work is in depth on the role of police in the prevention of crime, but he failed to address to the minute detail of issue of enforcement of law. Gerber and Schroeder (1962) write on criminal investigation and interrogation, where they elucidated on investigation and interrogation in the Maintenance of Law and Order and of curbing the rising tide of crime, yet their work has its shortcomings as most of the investigatory and interrogatory methods do not address the issues of cyber-crime in the contemporary world. Okonkwo (1966) raises invaluable issue of the role of police in the prevention, detection and enforcement of crime. Though he addressed the Nigeria issue in his book but he did not discuss the role of the police as it relates to court proceedings.

Ibiziako (1963) addresses the scope of the powers of the police in the prevention and detection of crimes; an enhancement to the identification and appreciation of the powers of the police but only relevant to a large extent in four decades, as there is little relevance to the present police institution in Nigeria. Jeffries (1952) makes reference to the function of the police in the colonial era. His work is relevant for this study because it gives a historical background of the police, but is silent in contemporary role of the police. Ottenberg (1962) gives very useful tips on police investigation. His work is relevant to the situation as it obtains in Nigeria in the past and gave a clue to the present. Though, a foreign book, it enhanced the richness of this study. Palmer (1973) discusses fundamental issues of the police in prevention of crime. The issues raised in this work are also indispensable to this paper.

VI. THEORETICAL FRAMEWORK

The crime control model is considered to be a conservation approach to crime that focuses on protecting society from criminals by regulating criminal conduct and justice. Moreover, this model stress strict and swift punishment for crimes, in return, this strict adherence benefits society by striking fear in criminals because they will be severely punished. The prominent theorists of this model are Herbert Packer, Roach, Arias, Ungar, Edkins. The crime control model also seeks to curtail criminal cases through the criminal system as quickly as possible. The goal of the model is to get the cases through the system swiftly even if that means expanding the powers of the courts. In fact, this model supports greater power for prosecutors and the courts that are handling the cases.

In contrast, the due process model is considered to be a liberal approach to criminal justice that favours criminal rights. This model functions under the tenet that defendants are innocent until proven guilty. The model also favours strategies that might rehabilitate offenders rather than simply punish them. The goals for this model are to make offenders functional and well rehabilitated back into society and out of prison, if possible. It is therefore in direct contrast to the crime control model. Opponents to this model set too many obstacles in the way of serving justice and punishing serious criminals.

The crime control model leads to the police having increased powers while the court system is built to more offenders through swiftly. Police might exercise these expanded powers by handling out more search

warrants or increasing their rounds of interrogations when dealing with suspects. Police officers also might be given the broad power to use more aggressive crime control strategies such as profiling, conducting undercover sting operation, wiretapping and targeting high crime locations. Meanwhile, the study adopts crime control model because it guarantees justice without unnecessary delay and makes offender to be punishable under law.

VII. HISTORICAL BACKGROUND OF KWARA STATE

Kwara State was created on 27 May 1967 by the federal military government of Gen Yakubu Gowon who divided the four regions that constituted the Federation of Nigeria into 12 states. At its creation, the State was made up of former Ilorin and Kabba provinces of the then Northern region and was initially named the West Central State but the name was later changed to “Kwara”, a local name for River Niger. Kwara State has since 1976 reduced considerably in size as a result of further state creation exercises in Nigeria. On the 13 February 1976, the Idah/Dekina part of the state was carved out and merged with a part of the then Benue/Pleateau state to form Benue state. On 27 August 1991, five (5) local government areas, namely Oyi, Yagba, Okene, Okehi and Kogi were excised to form part of the new Kogi state while a sixth Borgu Local Government Area was emerged with Niger State. Currently, Kwara State has sixteen (16) local governments which include Asa, Baruteen, Edu, Ekiti, Ifelodun, Ilorin-East, Ilorin-South, Ilorin-West, Irepodun, Isin, Kaima, Moro, Offa, Oke-Ero, Oyun and Patigi. The population of the state is above 2.37 million (Census, 2006). And the activities of the people include civil service, transport, farming, trading and hawking.

VIII. BRIEF HISTORY AND THE ROLES OF NIGERIA POLICE FORCE

The Nigeria Police Force was established by section 194 of the 1979 constitution of the federal republic of Nigeria as the national police of Nigeria. It started with a thirty member consular guards formed in Lagos colony in 1961. The force was established to ensure internal security, to protect lives and properties of the citizens. The primary functions of the police are detection and prevention of crime as well as preservation of law and order. The police have constitutional powers of ensuring the prevalence of law and order and the preservation of public peace. The 1999 Constitution of the Federal Republic of Nigeria confer on the police force powers and duties for effective oversight and accountability. Similarly, the Police Act charge the force with the general duties of protection of life and property, detection and prevention of crime, apprehension of offenders, preservation of law and order, due enforcement of law and regulations with which they are directly charged and performance of such other military duties within and without Nigerian as may be required of them by or under the authority of any other Act (Nigeria Constitution, 1999).

The law has clothed the Nigeria Police with enviable powers in the sphere of administration of justice, preservation of law, order and maintenance of national tranquility. Section 17 of the 1999 constitution provides that Police shall be organized and administered in accordance with such provisions as may be prescribed by the Act of the National Assembly. In the exercise of its primary powers, the Police also act in other spheres which are necessarily incidental to the exercise of the actual powers of the police. For instance, in the exercise of the primary duty of the police under Section 4 of the Police Act, the Act gives the Police the power of public prosecution. By these powers, the police can charge and prosecute any person suspected to have committed a crime before any court of law in Nigeria.

In the bid to create a favourable condition for the discharge of the duty of the police; the Police Act has also given the police the power to arrest any person suspected to have committed a crime with or without warrants. The police by the provision of the Act are also empowered to detain any person reasonably suspected to be in possession of carrying stolen property, or property that is reasonably believed to be unlawfully obtained. For the purpose of forensic investigation, the law empowers the police to take finger prints. It should, however, be noted that the exercise of these numerous powers conferred on the police has to be discharged with due regards to reasonability and decorum. Any exercise of such powers in contravention of procedures accepted practice and the rights of individuals would be rendered ultra-vire null and void. This is importantly so as individual rights are also fundamentally guaranteed by the same Constitution that confers powers on the police.

IX. THE IMPACT OF NIGERIA POLICE ON CRIME CONTROL IN KWARA STATE

Nigeria police have taken the following measures to control crime in Kwara state:

Pin down (Checking point) - This is a place where five (5) policemen are posted for duty and headed by inspector with the primary aim of detection. People who have criminal intent tend to do whatever is practicable to avoid detection by the police or private persons. Therefore, the impact of checkpoints on crime is the psychological infusion of fear of detection and or arrest into those who nurse criminal tendency. This tends to deter offenders and in consequence control crimes in Kwara state. It is argued that over 50% of the crimes are detected through checking point. Patrol team is another method of controlling crime in kwara state. The team headed by inspector with at least five (5) policemen. It covers only its jurisdiction. The team operations include

street, minor road and the most important areas to conduct patrol. The essence of patrol team is to prevent any form of violence in the state. The patrol team visit places such as hotels, hospital, motor park, schools and any place of assembling or joint during patrol activities in order to maintain peace and control any form of criminal tendency within the state. Patrol team is found almost every joint, throughout the state in order to maintain peace and order.

The Nigeria police use foot patrol in an attempt to detect illegality within the state and this has helped to reduce crime rate in Kwara state. The foot patrol consists of 2-3 men and they operate with waking talk (radio) without uniform. They relay information and record all illegality in the area of their jurisdiction. This method has helped in the sense that, many suspect have been raided which in turn reduce crime in the state. The special Anti-robbery squad (SAS) was introduced to deal with various crimes such as robbery, cultism, kidnapping etc. SAS operates at anytime, anyplace and has no jurisdiction. This has assisted the police to curb recent killing among the cult members in the state. Many of them have been arrested and detained for prosecution. The striking force of SAS in the police cycle helps to prevent violence and arrest criminals such as cultism, and robbers in the state.

Distress call is an emergency call made by police usually the Commissioner of Police to give direction to Divisional Police Officer (DPO) to mobilize his boys to stop the suspect at the scene of violence. The officers take immediate action on issues such as student riot, violation of traffic, unlawful assembly, unlawful gathering and any criminal act as the case may be. Distress call plays significant role in crime control in Kwara state. An evidence of this is the Kwara state polytechnic students protested in both Permanent Site & Mini Campus (IOT) campuses over the increment of the school fee. The police interfered with immediate effect in order to curb the situation. Equally, Moba police are the police that are only trained to solve crises or riot or boundary dispute and any such of crises. Their main objective is to disperse rioters. The Moba police are contributing immensely toward crime control in the state. They played a crucial role in Share and Sharagi, Offa and Erinle and also played active role in Ode-Alausa, Idiape, Alore crises of Ilorin West.

The police surveillance team established by Nigeria police helps in controlling crime in the state. The team is normally headed by inspector surveillance and operates outside the barrack or station without uniform. They order arrest and visit every nook and cranny within their jurisdiction. The police surveillance investigates and prosecutes cases and also gathers information from the member of the public. The surveillance has been able to detect many areas of illegality and arrest the suspect and this has helped to reduce crime in the state. The State Intelligent Bureau (SIB) is another method or approach of controlling crime in the state. The SIB sources for information and sometimes order arrest. They are mostly attached with the bourgeoisie in the state. The essence of this is to monitor the rich and those who are in position of authority in order not to commit crime and if they do, SIB will write intelligent report to the Commissioner of Police (CP) through Officer In charge of crime (OC). To some extent, this has reduced criminal tendency among who is who in the state.

In addition, Criminal Investigation Intelligent Department (CIID) played major role in the area of arrest, strike and investigation on various cases both civil and criminal. There are different sections deals with detection of crimes e.g Photo Lab, Anti-fraud section, Anti-cultism section. The suspect who is detected as criminal will be brought to book and serve as lesson to other members of the public in order not to follow his foot step. Invariably, it will caution many people from committing offence/crime. Traffic police personal/police traffic officer is established to ensure free and flow of the traffic or vehicle and to reduce the rate of road accident. The traffic officers arrest anybody that bridge the traffic rules and also prosecute such parson under the Traffic Act which is also punishable under the traffic rules. In the process of operation, traffic personnel stops and search suspect especially reckless drive, smuggling is arrested and this in turn limits the rate of crime in the state. For instance, a stolen vehicle was recovered along Ilorin Eld-Road.

The operation fire for fire crime control programme came into existence at a time when the security situation in Nigeria had assumed a dangerous dimension as the use of sophisticated weapons by armed robbers became high. The programme helped Nigeria Police to overcome criminal and save the member of the public from anxiety and unrest. Consequently, another programme known as “to serve and to protect with integrity programme” replaced operation fire for fire. The programme was not only to fight crime but also to redeem the battered image of the police crime in Nigeria as a whole and Kwara state in particular. Operation Harmony police squad established by State government helps to maintain peace and order and reduce the rate of crime in the state. Since the jurisdiction of the squad is within the state, it has given the squad opportunity to patrol and raid every nook and cranny of the state. The squad has helped to prevent crime in the state.

X. THE CHALLENGES OF NIGERIA POLICE IN CURTAILING CRIME IN KWARA STATE

The major challenges of Nigeria police in combating crime are inadequate funding and shortage of manpower. This is basically the federal government responsibility and it determines the level of adequacy or preparedness of the police to combat crimes. The police are not properly funded whereas other security institutions are being properly funded. In addition, Nigeria police force has limited personnel of less than

200,000 personnel. Though there is the proposed recruitment of 40,000 men to be remitted in every four years, unfortunately this programme has not been implemented since 1999. Equipment is another challenge facing Nigeria police force. This is because Nigeria police is suffering from the use of sophisticated weapon and insufficient equipment to combat crime in our society. For instance, the Nigeria Police had a stock of 742 horses for patrols, mob and demonstration control as against the required 2,000, leaving a shortfall of 1,258. They had 89 dogs instead of 500 required. The entire Nigeria Police had only two helicopters in its feet. More so, some of the good boys are eventually involved in politics thereby use such avenue to perpetrate evil. Some of them were also recruited in Nigeria securities; this made it difficult for Nigeria police to operate effectively.

XI. CONCLUSION

The police are primarily charged with the responsibility of maintenance of law and order and to protect the lives and properties of the citizens such functions are being carried out by the Nigeria Police irrespective of their department. However, Nigeria Police men have failed to carry out their duties effectively owing to the inadequate funding and shortage of manpower. It is stated that the criminals have access to sophisticated weapon while the Nigeria Police lack ammunition to meet up the current security threat in the state. There is no society that can claim to be completely free of crime because criminality is part and parcel of human nature and society. But the types of criminal behavior tend to follow the pattern of social and economic development of a given society. As a result, a society at a low level of development tend to experience an upsurge in the rate of violent crime such as armed robbery, politically motivated killings, use of illegal weapon, ethnic and religious clashes and the like. What is worrisome, however, is that the police which are meant to be the antidote to criminality appear to be getting overwhelmed by the phenomenon. The criminals appear to be ahead of the police by carrying out their criminal operation successfully while the police react to the commission of crimes and usually after the offenders might have left the scene. The members of the public have lost confidence in police owing to bribery and corruption, shabby dress and mistrust. The allegation leveled against the police include arbitrariness in the exercise of its powers of arrest and prosecution, corruption and perversion of justice, use of crude techniques of investigation, conspiracy with criminal and incessant cases of accidental discharge of lethal bullets.

XII. RECOMMENDATIONS

The laudable campaign for the recovery of illegal weapons must be pursued to its logical conclusion to bring a drastic and significant reduction in the spate of violent crimes in the state. Adequate ammunition should be provided for police to be able to challenge criminals. The Kwara State government should provide employment opportunities for the citizen (youths) to reduce poverty induced crime. The State Government should be ready to carry out its responsibility by providing basic amenities for Kwarans and settlers. Police recruitment should be based on merit and careful selection to avoid recruitment of thugs and cultists. Politicians should be warned against encouragement and promotion of hoodlums in the state. As a matter of urgency, police personnel who are no longer productive as well as those who are corrupt should be retrenched and more skilled youths be injected into the system.

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