

# **The Role of The Media in Enhancing Police Efficiency**

**By**

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## **Introduction**

The inefficiency of the Nigeria Police Force is generally considered one of the major limitations of the Nigerian society and a core enabling factor for the spread of anomie in the land. The concept of efficiency has acquired special significance in the assessment of country performance, institutions and systems in a world that is increasingly competitive. It relates to the values of accountability, processes and quality of service delivery, the competence of personnel as well as stakeholder attitudes towards a system or institution. An inefficient state poses a threat to its own survival, and guarantees an undesirable devaluation of the quality of human life within its borders. Increasingly also, efficiency is associated with the nature and context of

democratic performance and measured in terms of the prevailing, local human development index.

While situating the Nigeria Police Force within this theoretical context, and the theme of our inquiry, namely the role of the media in ensuring police efficiency, the relevant questions would be: What are the duties and functions of the Nigeria Police Force? Is the Nigeria Police Force efficient or inefficient in the discharge of its obligations? What are the factors responsible for its efficiency or inefficiency? Are there any existing internal mechanisms for guaranteeing police efficiency? Why should it be the business of the media to help ensure the efficiency of the Nigeria Police Force? Can the media make any contributions in this regard? And how may it help? And how well can it possibly do so?

### **The Nigeria Police Force**

The Nigeria Police Force is the only body constitutionally empowered to ensure the security of lives and property in Nigeria. It derives its existence from Section 214 (1) of the 1999 Constitution which provides expressly that *"there shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section, no other police force shall be established for the Federation or any part thereof"*.

Section 4 of the Police Act, 1990 further outlines the general duties of the Police as follows: *"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 regulations with which they are directly charged and shall perform such military duties within or outside Nigeria as may be required of them, by or under the authority of this or any other Act."* That these duties of ensuring order, safety and security are important to the making of a good society is not in doubt.

Section 4 of the Police Act is particularly significant, and the extent to which this is so is to be construed in the light of Section 14 (2) (b) of the 1999 Constitution, under the rubric of Fundamental Objectives and Directive Principles of State

Policy wherein it is stated that *"the security and welfare of the people shall be the primary purpose of government."* It may be deduced that to the extent that the Constitution links security to the welfare of the people and the Police is legally empowered to guarantee security, its efficiency or otherwise is to be construed therefore in relation to its impact on the people it is expected to serve. In *Onagoruwa vs Inspector General of Police*, Niki Tobi JCA ( as he then was) had commented on Section 4 of the Police Act, along these lines, most instructively as follows:

*"Section 4, which is generically worded should be interpreted with utmost care and circumspection. The section cannot be interpreted beyond its alreday onerous content. It is not my understanding that the section will act like a reservoir to accomodate with ease all police actions, legal or illegal. It is not my understanding that section 4 will act as a spare part to goad all police acts and inactions into legal functionality just by the press of the police button or the alarm of the police whistle. That is not the use that the draftsman has carved for section 4. Because of its large and apparently volatile lanaguage which is generally inimical to the rights of the citizen, section 4 shouldl be interpreted whenever possible liberally in favour of the rights of the citizen".* The learned Justice, later as a Justice of the Supreme Court further amplified the functions of the police in relation to citizen's rights in *Ibe vs State*.

It may then be added correctly that police inefficiency can only be inimical to the lawmaker's objectives. The powers and functions granted in the Police Act, and also in the Criminal Procedure Act are not absolute and arbitrary; they are to be exercised with utmost care and responsibility. The presupposition is also clear that the police is meant to be a functional service institution to advance public interests and the common good. There are existing mechanisms, both within the Police Act and other legislations and existing also in form of administrative structures, and international conventions and standards, which are designed to ensure that the police performs optimally and that the jurisprudential goal of creating a safe, orderly and secure

society, in which life is organised and not Hobessian (that is "short, nasty and brutish") is achieved.

Section 215 of the 1999 Constitution creates a command structure for the Police, further spelled out in Sections 6 - 12 of the Police Act. In Section 13 of the Police Act, the police are required to take the police oath or the oath of allegiance. Part IV of the Act deals with the powers of the police. In Part VII of the Act, possible offences are outlined, further offences, all of which which are subject to internal disciplinary measures are also listed in the First Schedule to the Police Regulations. Section 339 and 340 of the Police Act further define the conduct and attributes of a police officer. In Section 341, it is stated that "every police officer shall be personally liable for any misuse of his powers, or for any act done in excess of his authority." In these respects, the Police Act provides general regulations for police conduct and performance, and places an appropriate accent on accountability.

It is this same accent that informs the establishment in the Third Schedule to the Constitution of the Nigeria Police Council (cf Section 9 of the Police Act, section 153 of the 1999 Constitution), and the Police Service Commission. The Police Council of which the President is Chairman is saddled with three basic functions: "the organisation and administration of the Nigeria Police Force and all other matters relating thereto (not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the Force); the general supervision of the Nigeria Police Force; and advising the President on the appointment of the Inspector-General of Police.

The Police Service Commission which shall comprise "not less than seven but not more than nine members" is granted the power to "appoint persons to offices (other than the office of Inspector-General of Police) ...and dismiss and exercise disciplinary control...." The Police Service Commission (Establishment) Act No 15 of 2001) defines the roles, responsibilities of the Commission in greater detail. Drawing its membership largely from civil society, the Commission is essentially an oversight body empowered to monitor and

evaluate the performance of the Police Force and to ensure its efficiency and accountability.

In terms of their performance the police are further duty bound to respect the provisions of the Constitution particularly Chapter 4 dealing with the Fundamental Human Rights of the Nigerian citizen. The police uniform does not make a police man a special being or creation who may trample on the rights of others.

The oath of allegiance earlier referred to, as in the Seventh Schedule of the extant Constitution states that the person taking the oath will be "faithful and bear true allegiance to the Federal Republic of Nigeria and that he or she "will preserve, protect and defend the Constitution of the Federal Republic of Nigeria." Where a police officer acts *ultra vires* or violates the Constitution in any way, he can be taken to court and held accountable through judicial process. Acting under express orders, from a superior officer, to commit a criminal or illegal act provides no immunity or justification whatsoever.

Nigeria is a signatory to many international conventions including the UN Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights, even more immediately relevant are the United Nations Code of Conduct for Law Enforcement Officials (1979), and the United Nations' Basic Principles on the use of Force and Firearms by Law Enforcement Officials. These provisions are important not merely because Nigeria is signatory to them but also because they are reflected in the spirit of our domestic laws, and perhaps noteworthy is the reference in Section 4 of the Police Act to the performance by the Nigerian Police Force of duties outside Nigeria, by which fact, they would logically be bound by international standards and regulations.

In addition to all of these, the Nigeria Police Force over the years has sought to create internal administrative mechanisms for engaging the public and for gaining feedback on its performance. These include the establishment of a Public Complaints Bureau, Police-Community Relations associations, the pilot test introduction of a concept of community policing, the creation of Police

Public Relations Departments, the establishment of an X-Squad which monitors police performance on duty, the sponsorship of police-public relations programmes on radio and television and advertorials in the newspapers on why and how the police are "the friends of Nigerians."

It seems clear enough on the basis of the foregoing that the police internally and within the framework of its legal commitments is in principle designed for efficiency in all aspects of its operations, but the paradox is its lack of fidelity to many of these commitments.

### **The Nigeria Police: Efficient or not?**

Public reactions to the Nigeria Police Force on the question of efficiency are mixed and it is something like this: there seems to be a general consensus that Nigerian police officers seem to perform so well, they are so efficient and so exemplary when they take part in international assignments, and there have been many international commendations of the Nigeria Police Force to confirm this, but when the same police men are required to serve the Nigerian people, they behave more like an army of occupation, which terrorises the people, acts outside the province of the law. It is only natural that this raises prompt questions of efficiency.

The verdict is that the Nigerian Police Force is an inefficient public institution, the pervasive opinion is that it is more of an enemy of the people, and that substantially it has through the attitude of its men and its processes compromised its constitutional obligations. The failures of the Nigerian Police Force have been fairly well-documented, (see for example, *"Rest in Pieces:" Police Torture and Deaths in Custody in Nigeria*, by Human Rights Watch, 2005, *Re-making the Nigerian Police: A Kaleidoscopic Investigation* by Taiwo Kupolati, *Police-Community Violence in Nigeria* by Etannibi Alemika and Innocenet Chukwuma, *Human Rights Practices in the Nigerian Police* by C. Nwankwo et al.) in these studies and others, including media reports, the Nigerian Police Force has been accused and found guilty of brutality, torture, extra-judicial killings, gross indiscipline, human rights abuses, corruption, assault, rape, abuse of

uniform, deception, cruelty, sadism, lawlessness, and extreme inefficiency. The questions are consequently often posed, more out of frustration: *who will police the police? Who will guard the guardians?*

Internal control mechanisms of the police would seem to have broken down at the feet of the politicisation of the police by both the military before now, and currently by politicians, for different reasons but with the same devastating effect of making the police ineffectual. The Nigeria Police Council is used by whoever is president to serve his purpose.

The Police Service Commission is under-funded and over the years it has developed a reputation for being somewhat epileptic and even where it seeks to assert itself, its intervention is immediately politicised. Police men have no regard either for their oath of office or Constitutional provisions. Indeed the Nigerian police officer who collects bribe in the discharge of his duties, turns his gun on innocent Nigerians and fails woefully in discharging his functions under the Constitution and the Police Act has become a bigger threat to the Nigerian society.

Police stations have become hellish units, and the people have learnt to avoid a police force whose men are famous for their accidental discharge of murderous bullets. Very few Nigerians are willing to take the police to court even when their rights have been violated. The inefficiency of the Nigeria Police Force is perhaps most borne out by the wave of insecurity in the land. Nigeria is considered one of the most insecure places on earth. The 2008 Ranking of People Under Threat by Human Rights Group International rates Nigeria as one of the most insecure places in the world due to what the authors term "resource curse". At an interactive session with the National Chairman of the ruling Peoples Democratic Party in May 2008, foreign diplomats in Nigeria moaned publicly about the insecurity in the country.

On July 24, 2007, *the Daily Champion* lamented in its editorial column: "Insecurity in the land", on October 22, 2007, *the Nigerian Tribune* published an editorial titled "Nigeria's Insecurity". Confronted with an inefficient and overwhelmed Police Force, the Nigerian people have been

tempted to resort to self-help in the form of summary justice, or the creation of alternatives to the police. Families now live in hostels and neighbourhoods that have been turned into prisons with tall fences and barbed wires and streets that are placed under lock and key. For their security, they subscribe to neighbourhood watch arrangements also known as vigilante, ethnic-based security units such as the Oodua Peoples Congress or MASSOB, or private security outfits while hoping that the police, now considered by many as a necessary evil would soon become effective and efficient.

Certain attempts have been made to justify the inefficiency of the Nigerian Police Force. First is the argument that it remains essentially a colonial police force, designed to keep the people in check; in addition, years of military rule it is claimed has over-militarised the Nigerian Police Force, making it to be more interested not in service but in wielding and using power and force. Secondly, it is argued that the Nigerian Police Force is also a victim of the general trend of economic dispossession in the country. Put blandly, it is suggested that a nation gets the police force it deserves.

The Nigerian Police Force is poorly funded, it lacks equipment and the capacity to carry out its duties; its men are perpetually complaining about lack of welfare and on two occasions between 1999 and 2007, the disillusioned rank and file declared a dispute against the Nigerian government and threatened to go on strike. The economic dispossession of the majority has resulted in a corresponding explosion of the population of the unemployed and the criminally minded overstretching the police force beyond its capacity. To a large extent the exponential growth of the population, internal crisis and the crime index has not been factored into the development of the law enforcement infrastructure. But this alone does not fully explain police inefficiency, equally critical is the cancer of police corruption.

Thirdly, the top hierarchy of the Nigeria Police Force is wont to argue that whatever problems that may have been identified in terms of the performance and the efficiency of the Police should be blamed on the existence among the ranks of a few bad eggs. The present Inspector general of



Police only recently lamented the infiltration of the Force by persons without requisite qualifications. Without a doubt, attempts have been made within the Police to enforce discipline as represented for example by a report in *The Guardian* of October 13 2007 titled "Police Probe 10 officers over alleged torture". The Police hierarchy is always to quick to promise that "we will flush out bad eggs from the police". But the problem is that the bad eggs in the NPF are not few, they are many and sadly, they are influential too, and the mechanism for internal discipline is slow and heavily compromised.

Fourthly, it is argued that the Nigeria Police Force suffers from a problem of structure. It is answerable solely to the President and the Federal Government. This vertical authority structure, despite the delimitation of the Force into zonal commands, has been cited as a perpetration of a unitarist system, rather than a Federalist arrangement.

Some state Governors and other stakeholders since 1999 have argued persistently and rightly for the creation of state police and pointedly for an amendment of section 215 of the Constitution which vests the control of the Police in the President, and especially the ouster clause in Section 215 (5) to wit: *"the question whether any and if so what, directions have been given under this section shall not be inquired into in any court"*. This is an imperialist provision which grants the President the power to do as he wishes, as it renders the state Governors described as chief security officers in their states impotent; it is this absolutism that has been inculcated down the line in the exercise of police functions, resulting in a copy-cat syndrome of official tyranny and public agony.

### ***The imperative of police reform***

In the light of the foregoing, there seems to be a general acceptance of the urgency of the need for police reform in Nigeria to strengthen its capacity to deepen the democratic process, and to make it more efficient and accountable in the direction of the common good. Successive Inspectors-General of Police since the return to democratic rule in 1999, have announced one form of reform agenda or the

other targetting the critical issues of welfare, competence, capacity, and community relations. What appears to be missing is the political will on the part of government and the privileged police elite to turn the police force into an efficient, modern and professionalised machinery for service delivery.

Much of the official talk about reforms are at best convenient political statements. Political leaders since 1999 have found the police a willing tool and an ally in the rigging of elections, the intimidation of political opponents, the advertisement and protection of status, and these are criminal privileges that they are not willing to surrender. The tying of the office of the Inspector General and the entire police command to the office of the President makes it difficult for the police to act fairly in situations and conflicts dominated by partisan interests.

A police force that is available for hire such as Nigeria currently runs, is truly in need of reform. But the business of reform, the generation of ideas for reform, the monitoring and the evaluation of the reform process, the establishment of a necessary linkage between police work and the challenge of democratic consolidation cannot be done alone either by the police as an institution or by government acting as government and state. The necessary link is civil society intervention.

Civil society oversight with regard to the police is to be located in the democratic province of the people's ownership of the police, maintained as it is by taxpayer's resources and in addition, their right to know, and to have a say in the governance process.

Stronger opportunities therefore need to be created for civil society exercise of such oversight functions with regard to the police, and this can be in three primary areas: complaints, evaluation of performance and policy inputs. The civil society can also provide the necessary checks and balances against police excesses. It is in all of these respects that the media can intervene as a veritable element and factor in civil society. But in involving the media in police accountability, we are dealing with another level of sociology and inquiry.

### **The Media and Police Efficiency:**

Media institutions and practitioners are not in a position to exercise direct powers of control over the police; they do not buy ammunitions, nor are they responsible for the management of the police, but a review of Nigerian media content will reveal that the police as an institution and a collection of men, is a recurrent subject in the Nigerian media.

The powers of the media, the basis for its intervention is derived from section 22 of the 1999 Constitution which states that *"the press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this chapter and uphold the responsibility and accountability of the Government to the people"*. The police thus falls within the purview of government and the media's responsibility. Secondly, the Nigerian media by its history and tradition has always served as the platform for the expression of public grievances, interest and concerns. Persons who have issues with the police have often found willing support in the media.

It is the original duty of the media to hold up a light to imperfections and achievements in society, to report the news, to entertain, scrutinise the public sphere, and to educate the public. These are original powers under the expression of which the police cannot be exempted. Socrates had argued that "an unexamined life is not worth living". The media helps to beam the searchlight of scrutiny on society.

It is in the strictest sense in a position to promote and strengthen police work, but for the most part, the relationship between the police and the media establishment in Nigeria has been adversarial. The police elite accuse the media of lack of patriotism by publishing stories which may jeopardise national security or which portray the country in a bad light. It is common practice for interest groups in Nigeria to seek to teach journalists how to do their job, and the police has not been an exception. National security is a bogey that is

erected and thrown into the fray as an instrument of blackmail. It is easy for security agencies to accuse the media of fuelling the embers of insecurity but the real source of insecurity is the inefficiency of the law enforcement system. Whereas security agencies hoard information, the media has been known to insist on information and the truth.

Journalists have also been victims of police brutality. There is a long list of photojournalists whose cameras have been seized or vandalised by over-enthusiastic police officials, and reporters who have been beaten and humiliated by the police while discharging their duties. On January 26, 2001 for example, *the Daily Champion* reported that its correspondent, Mr Raymond Gukas was beaten up by policemen at the premises of the Borno State House of Assembly.

On Dec. 8, 2006, *The Punch* reported that "police intensifies harassment of journalists in Imo". On May 20, 2007, *The Punch* published a story titled "Police extend frontiers of brutality against journalists" : dealing with the assault of a photojournalist Mr Dare Folorunso by an Assistant Commissioner of Police in Ondo state. The police may argue that nobody is above the law, but there is nowhere under the laws of the land where the police is given the powers to abuse the dignity of the human person.

The rather dramatic inefficiency of the police has drawn unusual attention to it, and a suffering public grappling with the challenge of insecurity often finds itself running to the media to help publicise its concerns. The media in most cases sees itself as the conscience of the community. Between May 2006 and July 2008 for example, *The Guardian* published about 15 editorials on the police alone covering different aspects of police affairs including "Integrity and recruitment in the police"(July 28, 2008); "The Misappropriation of Police Fund" (Feb. 7, 2008); "The N21.6m Police Scandal"(June 24, 2007); "Police brutality and gunshot victims: matters arising" (June 1, 2006); "Police brutality: Death of Innocent Onovo" (June 8, 2006); "Police Attack on Gov. Oyinlola" (June 22, 2006), "Police Brutality in Benin" (May 1, 2006), "Police and unlawful detention" (May 10, 2006); "Police disruption of Kaduna meeting" (December

5, 2006). Nigerian journalists being citizens also feel that they owe themselves an obligation to monitor so strategic an institution as the Nigeria Police Force.

### ***The Police and a Civil Society Partnership Model***

It is in the interest of the police to seek partnership, and to build relationships with civil society institutions including the media. No amount of complaints about media meddlesomeness or perceived arrogance of the media would reduce media focus on the police and its level of efficiency or otherwise.

To engage the media more qualitatively, the Nigeria Police Force should attempt to develop its communication strategies and capabilities. Police Public Relations Officers, who often interface directly with the media should see themselves not as agents with a mandate to doctor the truth, but partners with the media in using information in pursuit of the common good. Training opportunities should be provided for both Police Public Relations officers and other police officers in the area of community relations. Ultimately, the goals of the police and those of the media cohere in principle, at the level of a given commitment to the common good and societal progress.

The biggest guarantee that the police can rely on in its relationship with the media however is for it to raise its level of performance, by discharging its duties under the Constitution with greater efficiency. It is not true that the media is unnecessarily censorious; it has indeed been supportive of the police especially in advocacy for improvements in the welfare of its men and its structure, and has shown great sympathy for its cause.

The police should assist the media with information. Access to information remains a major limitation for the Nigerian journalist. Government officials including the police are ever so reluctant to divulge information on the grounds that they are sworn to an oath of secrecy. Such secrecy creates room for corruption and misinformation. A Freedom of Information Law such as has been the subject of media and

legislative advocacy and which has been continually resisted by authority figures can only promote the objectives of transparency and accountability if brought into being and properly implemented. The police should not shy away from telling its own stories including its success stories and the challenges that confront it.

The partnership that ought to exist between the police and the media is a two-way process, however the responsibility for growing that partnership exists at both levels, even if at the moment, this appears to be in deficit. Nigerian Inspectors-Generals of Police speak of seeking "better ties with journalists". Those ties should be established through quality service delivery and constructive engagement.

### ***What the media does and can do***

The media provides a platform for the public discussion of issues, including the policy orientations of government. The media can help to champion the demands for an urgent reform of the police force as it has been doing, but even with greater frequency and emphasis. Reform will require funding and legislation: these are areas in which the media can intervene to move the Nigeria Police Force beyond its constabulary, colonial roots into a modern institution. Specific issues of concern should include a constitutional review of the structure of the police force and advocacy for its proper funding to address immediate needs in the areas of training, equipment and welfare. .

The media must continue to report cases of police brutality to assist in drawing the attention of the Police Service Commission and the police hierarchy to the challenges of indiscipline within the ranks. It should expose cases of police inefficiency and imperfections. The media should advocate the independence of the Police Service Commission, and condemn the undue interference of the Presidency in every aspect of police operations including promotions.

The media should provide opportunities for both victims of police abuses and whistle-blowers within the police to

express their views and grievances in the public domain, and at all times, it should stand firm in the defence of the rights of the human being to dignity. It must decry the tendency of the police to turn their guns on citizens, the maltreatment of female officers as sex objects by senior police officers, the lack of democracy in police internal processes, and the corruption of the law enforcement assignment.

The media has a constitutional duty to monitor the police and other departments of state, it must refuse to succumb to either blackmail, intimidation or inducement in the discharge of its duties. It must continue to insist that the police cannot exist outside the same legal order that it is sworn to promote and defend.

The media should celebrate the achievements of the police, to encourage its men and to deter criminal elements in society. The police often insist that the media report their activities negatively but this is not true as witnessed in a number of stories in which the police have indeed been celebrated and the courage of the officers commended. Two quick examples: On June 10, 2007, *The Vanguard* published an interview with a flattering headline: "Nigeria's police rated world's second best". In *the Punch* of December 23, 2007 appeared a story titled "Police return missing 100 pounds to owner".

Similarly positive media coverage of police affairs would include, for the purposes of illustration, Femi Okurounmu's "Playing politics with police reform" [*Nigerian Tribune*, April 23, 2008, p. 15]; Edwin Nwachukwu's "Building modern police force for Nigeria" (*Da/7/ Champion*, April 28, 2008, p. 14) ; "Funding The Police Properly" [*Vanguard*, Sept 20, 2007-front page comment); "Killing of Policemen" (*Daily Champion*, April 2, 2008) and "Police begins training of crime officers" (*The Guardian*, February 28, 2008)

Through investigative journalism, the media can help to expose and shame criminals in society, but it must desist from the current practice of helping the police to advertise and humiliate suspects, treating persons who have not yet been found guilty by a court of competent jurisdiction as if they have already been convicted. It is a common practice

particularly among the television stations which portrays them as accomplices in police excesses.

Nearly every media house runs a dedicated police or crime desk, While the reporters on this desk have been most enthusiastic in reporting crime rates and police work, they tend in the long run to sound more like members of staff of the state Commissioner of Police rather than ombudsmen whose commitment is to the Nigerian public. Media houses must be vigilant in ensuring that their police or crime reporters do not cross the ethical line to the other side of the assignment. Most of the columns on crime in the Nigerian media are no better than police bulletins.

Finally, it is not difficult to see that the performance of the Nigerian Police Force is also largely a function of prevailing orthodoxies in society and government. The expected transformation of public institutions which was calculated as part of the given dividends of democracy is long in coming. The Nigerian Police Force is made up of men and women who are citizens like every one else, and who may be tempted by the stasis in the environment to be less willing to make any sacrifice for the nation. Police reform should be seen, in the long term, as a component of the general developmental process and national re-orientation. In the short term, the will to address the security challenges and the operational deficiencies of the Nigerian Police Force must begin with the leadership.

### ***CONCLUSION***

The media is by no means a perfect institution, it is peopled by living beings with partisan interests and temptations, but the media nonetheless, has an obligation to strengthen its capacity to discharge its constitutional obligations responsibly and professionally. Its focus on the police and the challenges of efficiency will remain critical as part of its commitment to the building of a society in which the security of human lives and property and the rule of law can be guaranteed.