

HISTORY OF THE POLICE SERVICE COMMISSION

The Police Service Commission is one of the fourteen (14) Federal Executive Bodies established under section 153 (1) of the Constitution of the Federal Republic of Nigeria 1999, charged with the responsibility, among other things to appoint and promote persons to offices (other than the office of the Inspector-General of Police) in the Nigeria Police Force as well as to dismiss and exercise disciplinary control over persons (other than the Inspector-General of Police) in the Nigeria Police Force.

The Commission is a product of the 1957 Constitutional Conference/Willinck Minorities Commission Report. At Independence, Nigeria had three (3) Regions, each with a preponderance of one tribe (Hausa-Fulani in the North, Ibo in the East and Yoruba in the West). At the 1957 Constitutional Conference, the minorities in each of the three Regions had expressed fears and grievances with respect to the maintenance of public order, and as a result asked for their own separate States. This was because at the Conference, both the Northern Peoples' Congress (NPC) and the Action Group which then ruled the North and the West respectively advocated for Regional Police Forces, whilst the NCNC that formed the Government of the defunct Eastern Region preferred a Federal Police Force. The need to allay the fears by the minorities that a Government with a dominance of one main tribe and whose Police Force was largely made up of personnel from the same tribal group, would use the Police to suppress them led to the setting up of the Willinck Minorities Commission.

The subject of Police was therefore a subject of extensive discussion at the aforementioned Constitutional Conference and it was agreed among other things that:

"No Police Force in Nigeria should, so far as its use and operational control were concerned, at any time come under the control of political

parties. To this end, for example at the stage when the use and operational control of the Nigeria Police ceased to be vested in the Governor-General acting at his discretion, the appointment of the Inspector-General of Nigeria Police and of the Regional Commissioners of Police, whether or not they were at that time subordinate to the Inspector-General should be strictly safeguarded by special constitutional provision".

The Willinck Minorities Commission concluded its report on the issue of the Police and made twelve recommendations, one of which is as follows:

"Questions of first appointment, promotion and discipline of the Officer cadre should be dealt with by a Police Service Commission".

Hitherto, the Governor-General with the advice of Secretary of State carried out the oversight functions of the Nigeria Police. Under Section 173 of the 1954 Constitution and by Order-in-Council, the Colonial Governor-General of Nigeria delegated to the Inspector-General of Police matters pertaining to recruitment, promotion and discipline of only the junior ranks, while the Governor-General dealt with the Officer Cadre. Sections 102 and 103 of the Independence (1960) Constitution established the Police Service Commission, which then assumed the powers of the Governor-General in personnel matters of all members of the Nigeria Police Force.

During military rule in 1971, the Constitution (Suspension and Modification Decree) No. 36 of 1971, which repealed chapter VII of the 1963 Republican Constitution, in Section 110 (1), power of appointment, promotion, transfer, confirmation of appointments, disciplinary control and dismissal of the members of the Force was made the exclusive function of the Police Service Commission. However, as it is bound to be

a burdensome task for the Police Service Commission to exercise these powers on all Police Officers from the rank of IGP to the least Recruit Constable, a proviso was made in the above section, which gives the Commission power, with the approval of the Head of the Federal Military Government, to delegate any of its powers to either the Inspector-General of Police or any other member of the Nigeria Police Force.

In exercise of this power, therefore, the Police Service Commission (Delegation of Powers) Notice, was passed and it applied to "members of the Nigeria Police Force below the rank of Assistant Superintendent and to posts in the Force in respect of which the initial basic salary does not exceed 726 Pounds per annum or such other sum as may from time to time be the initial salary of a Chief Inspector".

This is the third Commission since the return of the country to democratic rule in 1999. The first one, having Chief Simon Okeke as its Chairman was inaugurated on 28th November 2001, the second was inaugurated on 15th April, 2008 with Mr. Parry B. O. Osayande, DIG (Rtd.), CFR, OFR, NPM, mni as Chairman. While the present Commission was inaugurated on 12th April, 2014 with Dr. Mike Mbama Okiro IGP (Rtd.), as Chairman.