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**Policing in Contemporary Nigeria: a  
Critical Analysis of Police Compliance  
with Rules of Arrest and Interrogation**

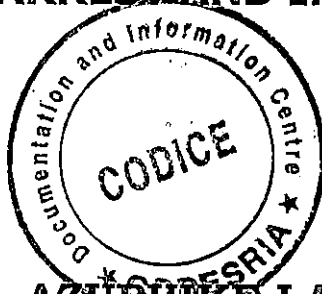
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**POLICING IN CONTEMPORARY NIGERIA: A  
CRITICAL ANALYSIS OF POLICE COMPLIANCE  
WITH RULES OF ARREST AND INTERROGATION**



**OKONKWO, AZUBUIKE LAWRENCE**

**A DISSERTATION SUBMITTED FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY (Ph. D)  
AHMADU BELLO UNIVERSITY, ZARIA, NIGERIA**

**DEPARTMENT OF SOCIOLOGY  
FACULTY OF SOCIAL SCIENCES  
AHMADU BELLO UNIVERSITY  
ZARIA, NIGERIA.**

**NOVEMBER, 2001**

## DECLARATION

I hereby declare that this dissertation is a product of my own research work and it has not been submitted elsewhere for the award of any degree. All sources of information have been duly acknowledged by means of reference.

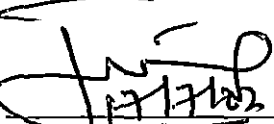


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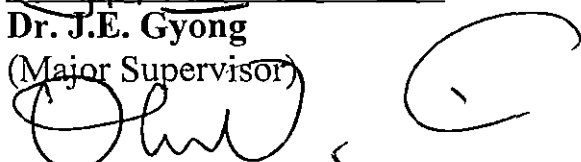
## CERTIFICATION

This dissertation entitled:

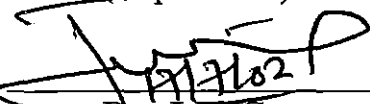
**"POLICING IN CONTEMPORARY NIGERIA: A Critical Analysis of Police Compliance With Rules of Arrest and Interrogation"** by Azubuike Lawrence Okonkwo meets the regulations governing the award of the degree of Doctor of Philosophy (Ph.D) in the Department of Sociology of Ahmadu Bello University and is approved for its contribution to knowledge and literary presentation.

  
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Dr. J.E. Gyong  
(Major Supervisor)

17th July 2002  
Date

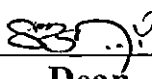
  
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17th July 2002  
Date

Having met the standard requirements, the research study has been accepted by the School of Postgraduate Studies

  
\_\_\_\_\_  
Dean  
School of Postgraduate Studies

Date: 11/10/03

# DEDICATION

To

Betty

Nonso

Izu

Emeka

and

Ada

## ACKNOWLEDGEMENTS

Words will not be enough to express my sincere gratitude to all those who contributed in making this work a success. I am especially grateful to the Inspector General of Police, Mr. M. A. K. Smith, NPN, mni, for his kind permission to carry out research with the Nigeria Police Force. This permission paved the groundwork for the critical evaluation of policing in contemporary Nigeria, particularly, in police compliance with rules of arrest and interrogation.

I owe special thanks to the Council for the Development of Social Science Research in Africa (CODESRIA) for funding this research under its scheme of small grants for thesis writing of which I am a laureate of the 1996 academic year award.

Similarly, I am grateful to my supervisors, Dr. J. E. Gyong and Professor Femi Odekunle whose constant encouragement, comments, criticism and free exchange of ideas enhanced the quality of what is offered here.

I would also like to thank the police authorities, particularly, the Commissioners of Police of Enugu, Oyo and Borno State Police Commands for granting access to police institutions by allowing us to observe police officers at work; and to the police officers and numerous respondents for responding to our questions.

I could not have hoped for a better cooperation from those who assisted me in this way and would like to thank them for letting me into their world and helping me to understand it.

I am pleased to record the help I received from Mr. Sylvester C. Nwaosu with the data analysis, Mr. Chima Iwuoha, Jr (CEO, Beth-Bekka Documentation Services, Maiduguri, Nigeria) for typesetting the manuscript, and Professor Patrick A. Onyeyili

for his encouragement and forbearance.

Finally and as always, I am grateful to Betty, Nonso, Izuchukwu, Emeka and Ada for their encouragement. It is my pleasure to dedicate this dissertation to them.

ABU, Zaria  
April, 2002

**Azubuike Lawrence Okonkwo**

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## ABSTRACT

Police discretion to comply with laws of arrest and interrogation like the related problem of the balance between freedom and order are subject of concern in a democratic political order. In the Nigerian legal system, the ideal has been to circumscribe the power of the State through guarantees of procedural checks on the discretionary action of the police patrol officers. The problem of controlling police discretion with a view to achieving compliance is seen as especially acute with police patrol officers for two major reasons. First, the police potentially or actually use physical force in their operations. Here the individual faces loss of life, liberty and property as a consequence. Second, current police practices are characterized by deficiency in awareness of procedural requirements leading to increasing pretrial delays.

In spite of these observations, the problem of police non-compliance with laws of arrest and interrogation remain largely neglected in the analysis of criminal administration in the country. This study is therefore designed with the objective of identifying the various dimensions of the problems of police rule compliance and their consequences on the community and criminal justice administration in Nigeria.

The major theoretical positions of the structural functionalist and the Marxist perspectives were examined in this study. It was observed that despite the substantive impact of the structural functionalist philosophy in the subject of policing, its analytical pitfalls constrains it from making adequate analysis of police work. The Marxist perspective is, therefore, adopted as the theoretical model for this study. This is because, more than the other perspective, it places police operational practices in its proper content. This advantage is based on the notion that policing is an institution embedded

in historical and socio-political contradictions which structures the community social order. This theory submits that the problem of police compliance with laws of arrest and interrogation are explainable by the sociological theory of law, which predicts legal variation of police work with its location and direction in social space.

The research was conducted in three locations: Maiduguri, Ibadan and Enugu. These locations are chosen because they provide a heterogenous population with diverse cultural and socio-economic background. The fieldwork covering nine (9) police jurisdictional areas involved exploring the links between departmental priorities and individual style of actions. Similarly, it examined dimensions of police awareness of and compliance with procedural laws as well as outlining the policy implication of such association and pattern. Altogether for a period of 12 weeks ranging from January 2000 to April 2000, the researcher undertook 1360 patrols in the course of which 500 police officers were observed.

Four complementary techniques of data collection were adopted for the study. These include interview, in-depth interview, focus group discussion and detailed examination of secondary data. The choice of these methods were informed by the nature of the research problem.

The major findings of this study provides a profile of police behaviour in situations where arrest and interrogation is possible. Observational study show that in both citizen initiated and police initiated encounters, most encounters are constituted situationally to preclude arrest. In fact, in 70% of the felony situation and 30% of misdemeanour the only major citizen participant is a complainant. Most arrest and interrogation recorded in this study is as a result of proactive policing in which police act as guardian instead of as a servant of the public.

The findings from this study suggest that although the police are aware of the procedural laws of arrest and interrogation they do not always comply with these laws in their actions. This has resulted in arrest and interrogation being instituted hastily and forcing suspects to go on trial on insufficient evidences. Furthermore, their method of applications of these laws are hostile leading to harassment and victimization of suspects.

This pattern of relationship arising from poor visibility of police action to the police organization indicate that visibility of police organization influences police rule compliance. The data also show that police rule compliance is higher in citizen initiated arrest than in police initiated arrest because of its high visibility. Similarly, the data suggest that most respondents expressed dissatisfaction with police arrest and interrogation processes.

The policy implication derived from this study suggest that effort in reducing police prejudice in arrest and interrogation would be relatively ineffective as a strategy for increasing police rule compliance. Rather the result suggest that the police could improve compliance on arrest and interrogation laws by influencing the visibility of police action. This may be achieved by the establishment of supervisory unit.

In conclusion, it is observed that certain factors contribute to the problem of police rule compliance. These problems include mass poverty, low level of political and social consciousness, illiteracy and powerlessness. Another problem is the entrenchment of the primacy of the rule of law. This will ensure that both the police and the policed obey the rule of law. Similarly, it must be emphasized that no policing programme can be effective without giving simultaneous attention to the inequality in the Nigerian society.



# CHAPTER ONE

## POLICE ARREST AND INTERROGATION PRACTICES IN NIGERIA

### 1.1 Introduction

Policing may be defined as a kind of social control or system of authority that defines and responds to the community security standards. The style of social control ordinarily associated with the police is penal in character. This is because it relates to people as offenders who have violated the law and therefore deserves punishment. Within this concept the police is viewed as an institution defined in its specific mandate, its specific powers and its specific form of accountability (Brogden et al; 1988). The mandate entails the legal provisions as contained in the Police Act. The powers to perform these duties include the powers of arrest and interrogation of suspects. Police accountability is ensured by safeguards that require that the police comply with the rule of law. The objective of these police powers are directed towards upholding the general legal framework of the state which defines criminality .

These powers granted to the police for the enforcement of law and order may create problems in the society. This is because such powers are discretionary in nature. Discretion implies choice, choice among actions as well as choice not to act and as such it poses a serious threat to the ideal of equal justice (Fairchild, 1979). The use of discretion in the criminal justice system is of intense concern. This is because the powers of the state is aligned against the individual who faces the possibility of loss of life, liberty, property, esteem and future earning power. This problem is acute in police

action because it potentially and actually use physical force in its operations. This relationship between police discretion and the rule of law brings to focus the problem of police rule compliance with the laws of arrest and interrogation of suspects. Non-compliance with the rule of law results in the miscarriage of justice.

Miscarriage of justice by police action has attracted public attention to the processes by which the laws are enforced and offenders arrested. Reports of police rule violation of evidential guidelines, cautionary practices, inept handling of reported cases and widespread criticism of these abound in the pages of newspapers. Public reactions in the face of these unconventional police practices have ranged from public mistrust to burning down of police stations. Other forms of public reaction include representation for the removal of police matters from exclusive list to the concurrent list and the proliferation of crime curtailment contrivances.

The conventional view growing out of contemporary research in criminology is that strict formalization would influence police behaviour toward rule compliance. The assumption here is that without discipline, officers will follow their own inclination rather than pursue organizational objectives (Bayley and Mendelson, 1969: 162-163). Such assumption locate the problem of police rule compliance at the level of organizational manipulation.

Confronting this view is evidence indicating that police culture (social values and norms) influence police behaviour to rule compliance. Writers like Friedrich (1979), Black and Reiss (1967) and Wicker (1969) states that police organization promulgate norms which conflict with the inclination of individual officer. They place the problem of police rule compliance on the transformation of the informal "cop" subculture and not the legal structure as the focus of change.

This clash of view stems from both empirical and theoretical sources. The empirical source is the seemingly conflicting evidence on the impact of legal change or lack of it on police behaviours. Black and Reiss (1967) demonstrated great disparity between attitude and action in police rule compliance. They deduced this conclusion from large scale observatory study on police action. They rested their conclusion on the disparity between verbalized and actualized attitude of police officers on encounter with the public. As Campbell (1963) has noted, such disparities do not demonstrate that rule compliance is not a factor of attitudinal disposition. They may simply reveal a threshold effect of expression and action.

Theoretically, Alemika (1996) Stressed that the widespread cases of police rule violation is not due to lack of constitutional and statutory provisions to curtail such practices. Rather, it may be due to the nature of control of police powers. Bayley and Mendelson (1969) in terms of strict formalization with the law contend that professional ethics can offset to a surprising degree the basic attitude of police officers. On the other hand, Jacob Chwast (1979) upholds that the social and personal value of law enforcement officers strongly condition the quality of service he delivers to the different segments of the population. Therefore, the best answer to the question of police rule compliance may well be that it depends on the circumstances in which the action takes place.

Although the contingent nature of the relationship between rule compliance and police actions has been recognised by social scientists, it is a possibility that has generated little systematic research. This study therefore attempts to outline the procedural laws of arrest and interrogation of suspects. This is with a view to examining whether or not the police patrol officers comply with the law regarding police decision to arrest and to interrogate suspects.

## 1.2 Police Rule Compliance and Criminal Justice Administration

The Nigerian Constitution (Section 214 of 1999) establishes the Nigeria Police Force, while the Police Act (Section 24-30) stipulates its functions. These functions include the prevention and detection of crime, apprehension of offenders, preservation of law and order and the protection of life and property. Other police functions include the due enforcement of all laws and the performance of such military duties that may be required of them by the Act.

In order to perform these duties effectively, the police are given powers of arrest with or without warrant, power to serve summons, and power to grant bail to persons arrested without warrant. Other police powers include powers to search, powers to detain, powers to take records, measurement, photographs and finger print impressions of all persons in lawful custody (Criminal procedure code, sec. 412, criminal procedure Act, Sec. 10 & 11). Each of these powers is clearly defined in law and must be exercised only for lawful enforcement purposes.

Other constitutional provisions relating directly or indirectly to the powers and function of the Police is the Fundamental Human Rights. These are right to life, right to personal liberty, right to freedom of thought, consciousness and religion, right to freedom of expression and the press and right to freedom of movement (Sec. 40, 43, 45 & 46 of 1999 constitution).

Despite these enabling police powers, it is fundamental that police interference with individual liberty, must, if they are to be valid, be founded upon the rule of law. Thus, arrest is prima facie illegal unless it is justifiable under some legal authority. Police powers of arrest may be defined as taking into custody of persons deemed to have violated the law. This is with a view of bringing the arrestee before a court of competent

jurisdiction in order to answer to a criminal charge (Black, 1971). Operationally, the elements of arrest are generally considered to be three folds. Preventive as where a man is arrested in order to prevent his possible lynching by a riotous mob. Punitive as when a man is arrested for infraction of the law and taken before a court for criminal charges. And protective as where a mentally unbalanced person is arrested for his own protection (Bittner, 1971). Further, the police may not arrest a person unless they propose to charge him with a criminal offence..

However there is no necessary assumption that an arrest will be followed by a charge. This is particularly true since arrest may be made with a view of questioning the arrestee in the constraining atmosphere of a police station. In principle however, an arrest is unlawful when it is executed in a manner that lacks the requisite power. In such circumstance the police officer may be liable in tort for illegal restraint irrespective of the ancillary power that justifies such action.

Arrest with or without warrant legally constitute of three elements. First, is the seizure of the body either by touching or use of clear words indicating that the person is under compulsion to submit to the process. This submission must be so understood by the arrestee in that sense that is devoid of ambiguity (Leigh, 1985). Second, the reason for the arrest must be intimated to the arrestee either at the time of arrest or as soon as is reasonably practical thereafter (Criminal Procedure Code, Sec. 33). This affords the arrestee the opportunity to give an exonerating explanation. Third, an arrest will be deemed invalid for failure to notify the suspect the powers of arrest. Police officers must produce their warrant card when he is not in uniform.

Section 3 of the Criminal Code of the Federation of Nigeria (1990) provides that the police may use such force as is reasonable in effecting a lawful arrest. Although the

section is not specific concerning what constitute unreasonable force, use of excessive force is unlawful and is punishable. Consideration used in the determination of reasonable force include, nature and degree of the force used and the possibility of preventing the suspect from his actions through other means. Other considerations used include seriousness of the end to be prevented and whether or not the force used is disproportionate to the mischief it is intended to prevent. However, it is permissible for the officer to use lethal weapon in self defence (Force Order No. 237). Specifically, this order stipulates five conditions where a police officer may use firearms. These conditions include, first, when attacked and his life is in danger and there is no other way of saving his life. Second, when defending a person who is attacked and he believes on reasonable ground that he cannot otherwise protect that person attacked from death. Third, when necessary to disperse rioters or to prevent them from committing serious offences against life and property. Fourth, if he cannot by any other means arrest a person who being in lawful custody escapes and takes to flight in order to avoid re-arrest. This clause is with a provision that the offence with which he is charged or has been convicted of, is a felony or misdemeanour. Fifth, if he cannot by any means arrest a person who takes to flight in order to avoid arrest; provided the offence is such that may be punishable by death or imprisonment for 7 years or more. In all these circumstances, a proviso is given that the main objective is to shoot to maim or disable and not to kill.

Police powers of arrest are enshrined in criminal procedure code, section 26, Police Act, Section 20 and the Criminal Procedure Act Section 10. Broadly these provisions classifies offences into two categories of offences arrestable with warrant and those that do not require production of warrant before the arrest could be initiated. Arrest with warrant consist of arrestable offences which carry fixed penalty or prison

sentences on conviction as contained in appendix A of the Criminal Procedure Code. Here the statute authorizes arrest strictly under court warrant. Section 26 of the CPC provides that the justice of peace on receiving information that a person is suspected of having committed an offence may issue summons directed to such person. The summons directs the person to appear before a Magistrate Court to answer to information alleged before him. Warrants of arrest issued under the CPC must be reduced in writing, signed and sealed by the court and such warrant remains in force until it is cancelled by the court issuing it or until it is executed. Section 60 of the CPC provides that persons executing a warrant of arrest shall notify the substance thereof to the person to be arrested immediately or as soon as practicable after the arrest. Such warrant of arrest may or may not be endorsed for bail. Most of the offences for which warrant of arrest are issued are usually indictable offences punishable with imprisonment. Such person must not be a minor and must be above 18 years of age.

Arrest may similarly be carried out without warrant. Power of arrest without warrant are conferred on police officers with a view to obtaining first hand information necessary for prosecution. Therefore, the duty of police officers when they arrest without warrant is to evaluate the possibility of the commission of the crime (intended or actualized). These functions must be carried out impartially by treatment of like cases in like manner and the rigorous exclusion of all possible bias (Lustgarten, 1986, p.164). Offences for which the police may arrest without warrant are specifically listed in chapter IV of the CPC. These include persons who commit offence in his presence notwithstanding any provision in the third column of appendix A of the CPC. Similarly the Police Act Section 20 confers the powers of arrest upon police officers on two occasions. First, any person whom he finds committing any felony, misdemeanour or breach of the

peace. Second, any person whom any other person suspects of having committed a felony, misdemeanour or charges of having committed a simple offence. Finally, section 42 of the CPC provides that persons arrested without warrant shall not be detained in custody for a period exceeding 24 hours (or 48 hours by amendment in section 34 of the 1999 constitution).

The criminal law similarly detailed rights of an arrested persons. This protection of the rights of an arrested person is achieved by imposing severe penalties on enforcement officers for the violation of such rights. These prohibitions include unnecessary restraint of an arrested person (CPA Sect. 4) and sanction for unlawful delay in presentation of an arrested person to a Court of competent jurisdiction (Criminal Code, Sect; 130). Other protective offenders rights include right to remain silent until after consultation with a legal practitioner (Sect. 12(2) 1999 Constitution) and right of an arrested person to be arraigned before a court within 24 hours of arrest (Sec. 34, 1999 Constitution).

Similarly, the procedure for police investigation and interrogation of suspects through questioning, confronting arrestees with witnesses, photographs. Finger prints, other expert analysis or evidences found at the scene of crime are guided by the judges rule in the southern part of the country and the criminal procedure code (1960) in the North. The basic laws that guide police interrogation of suspects are the cautionary rule and the exclusionary laws for searches and seizures. These rule have together produced a substantial body of judicial decisions that defines standard of police conduct in the investigation of crime.

The cautionary rule sets down an authoritative list of warnings that the police officer must give to the suspect prior to questioning. This warnings must be given if the



responses to their question are to be admissible in court. This law therefore constitute effort to simplify the determination of the voluntariness of the suspects statement by defining police responsibilities in specific terms. Unless the designated warnings have been given, a suspect's statement is not voluntary. Therefore such statement would not be introduced into evidence by a police prosecutor (Baum 1979).

Another law that is fundamental in the determination of police responsibility for court admissibility of evidence is the exclusionary law for searches and seizures. The law holds that illegally seized evidences should not be used in criminal proceedings. The law thus establishes a mechanism for the enforcement of police rule compliance with judicially imposed procedures. Both laws in effect create situations in which the police are required to adhere to procedural requirements of the law in order to maintain court admissibility of the evidence they obtained during interrogation of suspects.

The nature of police work in criminal justice administration is a debate among scholars. Westley (1951) assigned economic functions to the police while Brogdon (1968) relates police functions to class control. Wilson (1963) assigned them order maintenance and law enforcement functions. The order maintenance function is performed when the police act to prevent situations that may result in criminal activities or actions. The law enforcement is the process of applying legal sanctions to persons deemed to have violated the law. Here the police responds by apprehending them and processing them through the criminal justice system. Although the police functions does not admit strict compartmentalization between order maintenance and law enforcement duties, this study will employ this definition in analysing police duties of arrest and interrogation of suspects. This choice is reinforced by the fact that the main thrust of the criminal justice system is directed towards law enforcement rather than prevention of

crime (Cho, 1974). Using this definition, the law enforcement duties of the police will include, the apprehension of offenders, preservation of law and order and the due enforcement of all laws and regulations.

The apprehension of offenders or deprivation of personal liberty occur when an arrest is effected on a person deemed to have violated the law. However, unjustified refusal to grant bail could amount to illegal deprivation of liberty. Arrest may be instituted with or without warrant but for arrest to be valid, it must comply with specific legal requirements which the arresting police officer must comply with. With regard to pretrial bail, the police are empowered to grant bail to persons detained without warrant of arrest in police stations. It is constitutionally mandatory that the police should grant bail to suspects after 48 hours. Any derogation under the 48 hours rule will amount to false imprisonment in bailable offences.

The preservation of law and order manifests itself in circumstances that may precipitate breakdown of law and order. Such circumstances include political strife, student unrest, labours strike and other organized disturbances that challenge constituted authority. The police preserve law in these situations by intensifying security with the main goal of saving lives and protecting properties.

With regards to due enforcement of laws, the police are obliged to enforce all laws creating offences and imposing punishment thereof. Such laws imposing infractions are stipulated by the criminal law and the penal code. Similarly section 10 of the CPA confers on the police the power to arrest for an offence committed in his view; or by any person whom he reasonably suspects. Other Acts, regulation and residual legislative lists with which the police are empowered to enforce include the miscellaneous laws. These miscellaneous laws include the fire arm law, copy right law, Dangerous drug law, pharmacy law, liquor Act, etc.

### 1.3. STATEMENT OF THE RESEARCH PROBLEM

The research problem being investigated in this study is police compliance with laws of arrest and interrogation of suspects. Within the limits of the statutory powers of the police, arrest and interrogation of suspects constitute the legal framework of achieving social control in the society. Each of these powers are clearly defined in law and must be exercised only for lawful purposes. Conceptually, arrest and interrogation functions as an operative mode of restraining a person's liberty in order to answer to an alleged suspected crime. While the police must ensure that offenders are apprehended, they must also assert that the primacy of the rule of law is maintained. This is with a view of ensuring that both the police and the policed are subject to the rule of law.

Issues concerning the legal framework or legality of arrest and interrogation involves police compliance with the criminal law. The criminal law constitute the statute of law which defines standard of police conduct in the arrest and interrogation of offenders. This ensures that every kind of social control that the police exercise in their official capacity is understandable as law (Black, 1976; 4-6). The sociological theory of law based on this reasoning predicts that police work will vary with its location and direction in social space. This means that how the police handle a particular case will depend upon the social characteristic of the offender, characteristic of the police officers, and the social characteristic of the community. Similarly, this variation in the nature of police work may be located in the nature and function<sup>1</sup> of police discretion.

Police officers are allowed wide discretion in carrying out their functions. Thus, police response to a particular case may vary from sympathy, indifference or even contempt depending on the social setting. The proper use of discretionary power by police has become increasingly debated in the wake of charges of brutality and

miscarriage of justice for two reasons. First, police are given exceptional powers and they have exceptional opportunity of misusing them. They are armed and trained to use their arms. In some circumstances, they may be sorely tempted to take the laws in to their hands or use their position to commit blue crime (Caiden and Hahn, 1979). They cannot always under pressure and provocation maintain their dignity. On such occasion their conduct may give offence. Second, because of the exceptional nature of police powers and opportunities, relations between police and the public are highly sensitive because they represent the punitive powers of the state.

From an individual decision making analysis, determinants of compliance with laws of arrest and interrogation may be related to the criminal law. If the laws are framed to allow for broad discretionary powers, the question of abrogation of power by police officers becomes pertinent. On the other and, if the laws are drawn narrowly to control the behaviour of individuals, the need for flexibility in particular circumstances may lead to use of unauthorised discretion (Fairchild, 1979).

In Nigeria the level of police compliance to laws of arrest and interrogation of offenders is low. This is because the police give effect to politically determined values and their impressions are coloured by political perceptions. This non compliance with the law may be attributed to two reasons. First is the arbitration of the law by factors of social status of offender and the social characteristic of the investigating police officer. Second is the absence of police organizational discipline in influencing individual police actions. These reasons may be posed in the following research questions.

- a. What are the laws and rules of arrest and interrogation in Nigeria?
- b. What are the levels of compliance and non compliance with these rules by the Nigeria Police?
- c. What are the legal and organizational factors that aid or inhibit compliance?
- d. What measures can be taken to enhance compliance?

#### **1.4 AIMS AND OBJECTIVES OF THE STUDY**

This study seeks to contribute to existing literature on law enforcement practices in Nigeria through the following research objectives.

1. To examine the legal framework and organizational structure of the Nigeria Police.
2. To determine and explain the extent to which the legal provisions on arrest and interrogation of offenders are observed by the police force.
3. To determine and explain the extent of awareness of legal requirements of arrest and interrogation by the Nigeria Police
4. To ascertain and explain public perception of the Nigeria Police with regards to the manner in which it performs the duties of arrest and interrogation of suspects.
5. To make policy recommendations relating to police due observance of laws relating to arrest and interrogation of suspects.

#### **1.5 SCOPE OF STUDY**

This study will restrict itself to the law enforcement and interrogative functions of the Police. This is because arrest and interrogation in enforcement situation provide the most visible police action to the public that can be quantified. These law

enforcement functions include, apprehension of offenders, preservation of law and order and the due enforcement of all laws and regulations with which they are directly charged. Similarly, only investigating and uniformed police officers assigned to specific statutory duties are used for the study.

The reason for the limitation of scope include, first, that police functions are primarily experienced by the public through the actions of investigation and uniformed police officers assigned to specific statutory duties. Second, the limitation to only law enforcement duties allow for comparative analysis of the sociology of policing. Third, the limitation is to allow for a detailed study of the law enforcement sub sector of policing within the time and financial resources available.

## **1.6 SIGNIFICANCE OF STUDY**

There are several reasons involved in the choice of the topic of research, its periodization and theoretical import. First, the police need to be assessed periodically for many reasons. The huge sum of tax payers money expended on them requires adequate accounting (Tamuno, 1970). Similarly, the important nature of the functions assigned to the police means that ineffectiveness in performance will have adverse or debilitating consequences on the society. Second, researching into police organization, though highly contentious and value loaded, will enhance exposition by providing new insights into the pattern of policing in contemporary Nigeria. Third, it seeks to establish the degree to which organizational design is consciously adapted to the task of policing entire country and to the pressure of changes being encountered in contemporary Nigeria political environment. Fourth, although empirical study on law enforcement practices does not provide representative data on the totality of police operations, it does offer in-

depth analysis on statutory powers on policing as defined by the procedural criminal law. In this respect, policing in contemporary Nigeria under study qualify for study for the following reasons:

1. Law enforcement provides empirical standard of quantifying or classifying policing objectives. It therefore provides criteria for assessing police services that are available to all citizens in the society.
2. It provides the premise for systematic evaluation of the subject of policing from the public perspective. This approach allows linkage to theory of prevailing prescription for control of police behaviour.
3. Its theoretical generalization could be applied in finding out deficiencies in police rule compliance. This is with a view to demonstrating more productive alternatives to the present approaches to policing.
4. They supply necessary information to test the hypothesis.

Finally, the conclusion reached in this study would immensely aid policy makers in formulating law enforcement policies that will increase public acceptability of the police. Similarly it will contribute to the area of the theory.

## CHAPTER TWO

# THEORETICAL PERSPECTIVES ON POLICE COMPLIANCE WITH RULES OF ARREST AND INTERROGATION

### 2.1 Introduction

The proceeding chapter gave an insight into the background of the study and what it proposes or seeks to achieve. The objective of this chapter is to establish the theoretical traditions relating to the research problem. This is achieved by bringing the various theoretical perspectives relating to the subject matter. Within this theoretical perspective, two broad competing paradigm are used to evaluate contemporary policing in Nigeria. They are the functionalist and the Marxist perspectives.

The chapter is subdivided into four sections. The first section examines the functionalist and the Marxist perspectives respectively and their relevance to understanding the research problem. This is done through the analysis of the history, politics, ideology and socioeconomic formation of these theoretical models. The second section deals with the legal framework of arrest and interrogation in Nigeria. The third section examines researches in police compliance with legal rules of arrest and interrogation while the fourth section examines the theoretical orientation in terms of the legal rules of arrest and interrogation, the core statement of the research problem and its expectation.



## **2.2 Functionalist Perspective and Police Compliance with Arrest and Interrogation Laws**

The functionalist perspective assume that the social world is composed of relatively concrete empirical artefacts and relationship which can be identified, studied, measured and analysed through approaches derived from natural sciences. The conception of the society as an object of the functionalist analysis can be summarized as follows: First, that every society consists of interrelated and interdependent parts that perform certain functions. The function of any part of the society is the contribution it makes in meeting the functional pre-requisite of the social system. Second, they see all societies are self contained system; i.e, each society can survive independent of the others. Third, they maintain that each part of the society performs functions which maintain and equilibrate the whole, i.e, the different parts are mutually supportive of and compatible with each other. It is this mutual compatibility that maintain and equilibrate the whole society (Parson, 1951; 1964; Bendix, 1964; Almond, 1970; Sinclair, 1970). It is on the basis of the above conception of the society that the functionalist view the police force as a functional part of the society. The functional parts works together with a sufficient degree of harmony to maintain equilibrium in the society.

The core thesis of the functionalist analysis of crime, law and policing is that there is a value consensus in society. This consensus represents an agreement by members of the society on deeply held values. Crime therefore is not merely prohibition made for the purpose of rational social defence. Rather they are acts which seriously violate a society's shared value or conscience collective (Durkheim, 1973). The law is seen as a reflection of society's value consensus which provides the specific framework for expression of popular emotion. A translation of shared values into legal status which

the criminal justice system translates into action. Police powers are therefore seen as legitimate authority because it is based on the value consensus of members of the society. The operation of the law is said to benefit society as a whole since crime must be kept in check and shared values maintained.

Within this perspective, policing theory like the state theory embraces teleological and mean based analysis (Bittner, 1971). The former emphasizes the intimacy of the connection between ends of police work and the distinctive means available to the police agencies. The mean based analysis of policing stresses the position of the police as a mechanism for the distribution of non negotiable coercive force. Reinner (1982) similarly defines the police as the repository of the state monopoly of legitimate force. In short, police is the label and policing the means used by the state when asserting its exclusive title to the use of threat of force against dangers within the state. Marshall (1975) in support of Durkhiem's conscience collective, similarly reaffirms that policing sets up a kind moral circuitory. This moral circuitory channels the energy of collective sentiments into a self sustaining and socially binding circle of consensus. However, it is naive to assume that social consensus exist between the police and the policed. Similarly, the real needs of the society are beyond the functions of the police because it is not in their position to follow the dictates of popular morality (Ahire, 1982).

The structural functionalist concern with portraying policing structures in terms of power and instrument of power relations is discernable in the works of Foucault (1977). In his "Discipline and Punishment" he portrays policing as a subject of strategic planning and rational administration with the enforcement of law as its primary objectives. Here, the conception of the state is attributed to the Hobbesian tradition of

perceiving that the end towards which the state is directed is the possession of a monopoly of coercive powers. This allows it to achieve an administrative monopoly (Giddens, 1987). The police is viewed as functional imperatives to certain socially dysfunctional stress that accompany development. Bent (1974) hence argues that the police force is undoubtedly the control agency of last resort. Skolnick (1966) also argues that the *raison d'être* of the policeman and the criminal law is the underlying collective held sentiments. These sentiments justify police actions arising from the threat of violence and possibility of danger to the community. The society similarly responds by enacting laws which help structure our customary discourse and practices of blaming, holding responsible and thinking about deviance. The police force which give visible expression to the law are held to be fair, impartial and oriented to the enhancement of control. Maximization of regulatory powers are directed exclusively to the task of regulatory conduct (Foucault, 1970; Garland, 1994). The cause of crime lies in the pursuit of individual gratification usually incommensurate with effort and unwillingness of individual to accept discipline.

The functionalist perspective in analysing the function of the police assigned them functions of order maintenance and law enforcement (Wilson, 1970). The order maintenance function is performed when the police acts to prevent situation that may result in criminal actions. The law enforcement is the process of applying legal sanctions to persons deemed to have violated the law by apprehending them and processing them through the criminal justice system. From this position, the statutory functions of enforcement of laws and control of other social dysfunctions are integrative leading to an orderly and healthy development (Bent, 1974).

Most proponents subscribe to the law enforcement duties of the police as the most essential function. The social protection function ensures the continued existence of those elements of personal life and social processes that society considers valuable (Bayley, 1969). Clinnard and Abbot (1972) ascribe to the police the status of social service and public utility by arguing that the police protect the public by controlling crime. This is contradictory because the very nature of policing activities is vital only in maintaining the wealthy and the powerful. Their assumed impartiality and political neutrality is a questionable factor in the face of widespread police corruption and abuse of power. The Marxist perspective argue more plausibly that modern police force in capitalist societies were established as part of an attempt to impose new discipline on the peasant class. Its establishment was not to uphold the law and the protection of democratic rights (Fitzgerald; 1981; Thompson, 1968; Spitzer, 1981). This weakness of the functionalist perspective makes it inadequate for analysis of the research problem. Furthermore, within the Nigeria context, the police force emerged as an authoritarian imposition of the colonial with its explicit purpose of conquest, subjugation and exploitation of the indigenous people (Damns, 1982).

Similarly, this argument that the police maintain order in the society by guarding against the detrimental consequences of human imperfection is the focus of the functionalist doctrines. However, its proponents are unable to clarify the nature of the order, why it is needed, and how the police enforce the laws. Furthermore, is this order historical, class neutral or does it exist independently of the structure and organization of the society within which it operates? If not, does it follow that order maintenance function of the police would inevitably be bound up with the sustenance of a particular structure and organization of society.

Within the functionalist perspective, the theoretical question relating to police rule compliance or non compliance with the rule of law is related to individual officers behaviour. Thus the functionalist perspective in analysing the control of police behaviour through political influence upholds that political institution should not control policing in any substantial sense, since that is the job of the law. Rather, accountability of their operations should be explanatory after the fact (Marshall, 1984). So, the way to ensure police compliance with the rule of law is retrospective. Retrospective accounting requires officers to offer legally acceptable justification for their operations after they have been undertaken. This position therefore indicates that police work in concrete terms is carried out by the discretionary invocation of legal powers (Lustgarten, 1986). But the police are expected to accord all citizens equal treatment under the law and the rigorous exclusion of bias (Jefferson and Grimshaw, 1984).

Within this perspective, police non compliance with the rule of law becomes an issue when there is public concern that the arrangements for ensuring that the police satisfactorily perform their job are not working. Such dissatisfaction may arise from variation in police service through biased use of power. Such non compliance as earlier stated is rooted in the individual officers behaviour either in terms of organizational goals or in the legal definition of statutes of law.

From the organizational goal definition, functionalists uphold that given the strict formalization of the police organization, that the professional ethics will offset to a high degree police rule non compliance (Mendelson, 1968). From this organizational goal perspective, it is demonstrated that the decision to arrest or interrogate suspects is largely determined by organizational goals. Decision to arrest is determined by the police in the sense that the police choose the suspects, choose to collect certain evidences and have

choice over the question asked at interrogation. The police then have control over the way the resulting evidence is presented and interpreted (McBarnet, 1981; McConille and Baldwin, 1981).

From the legal definition stand point, police non compliance may result in two dimensions. First, if the laws are framed to allow broad discretionary power on the part of police officers, the question of abrogation of power becomes pertinent. Secondly, if the law are drawn narrowly to control the behaviour of individuals, the need for flexibility leads to either greater use of unauthorised discretion or to an unresponsive and rule bound bureaucracy (Fairchild, 1979)

Functionalist conception of relating police non compliance to individual staff behaviour shows the demerits of retrospective accounting. Retrospective accounting therefore denies the functionalist viewpoint the institutional arrangement of ensuring that the police carry out their functions satisfactorily.

Typically within the Nigeria criminal administration, the ideal has been to circumscribe the power of the state through the guarantee of procedural checks on police discretionary options. In fact prescriptions for narrowing the broad range of discretionary power of the police has been common (Dorris, 1978). Efforts to control police discretion with a view to secure rule compliance in laws of arrest and interrogation are in a large proportion contained in the proposals that have been made for bringing about changes in recruitment, training, patrol operations, communication and other aspect of police work (Political Bureau Report, 1987).

According to Ahine (1991), the tendency among the functionalist is the portrayal of policemen as benevolent agents of social order; quick to respond to social needs and capable of great flexibility. Tamuno's historiography of the Nigeria police portray the

officer as those who exercise courage and wise judgement in the execution of their law enforcement duties (Tamuno, 1970; 190). Clinnard and Abbot (1973) insisted that the primary function of the Police in less developed countries is crime control. Jeye Wardenie (1980) maintained that police adherence to the ideal of non partisan intervention is dependent on the extent to which politics has infiltrated the social institution. Marxism offers a holistic approach to the explanation of social life and argues that society has definite structures and organization as well as a central dynamic which patterns social practices in specific ways. Within this structured social formation the key determinant of social organization is provided by the mode of production. The argument being that the sphere of activity which produces the material necessity of life will always be the key locus of power in any society.

### **2.3 Marxist and Police Compliance with Arrest and Interrogation Laws**

The conception of policing within the Marxist orientation derives from its historical dialectism. The basic premise of Marxism derives from its macro analysis of human nature and social order. The paradigm submits that social order which emerged from classical philosophy was not characterised by consensus, freedom, equality and rationality. Rather, it was characterized by inequality, competition and conflict (Mary, 1987, 1979).

Marxism methodology of historical materialism indicate that every social phenomena has a history. It also argues that the character of such phenomena varies according to the forces and relations of production as well as the character of the class formation. Marxist historical materialism suggests that in order to understand the present nature and character of social phenomena; it is necessary to probe into the past. In this

context, police compliance with the procedural laws of arrest and interrogation, both as a result of the direct impact of the offence and their participation within the criminal justice system can be understood within the historical formation of contemporary Nigeria.

Historically, the mode of production operative in contemporary Nigeria is the underdeveloped peripheral capitalism (Rodney, 1972; Gyong, 1994). The foundation for the penetration of capitalism into Nigeria was laid by the mercantile traders and its subsequent colonization by Western Europe. Although Nigeria gained independence in 1960, its domination by the Western World is manifested through neo-colonialism (Ahire, 1991).

The underdeveloped capitalism in Nigeria is distorted and dependent on western capitalism. The form of capitalism in the country is characterized by two broad classes. The capitalist and the working class. Consequently, conflict, instability and stiff competition between the two major classes become logical concomitants. The advantage the dominant class has in Nigeria enable it to define what crimes are and whom their victims should be. It also substantially influence how state agents of law enforcement shall apply the laws and how criminals shall be treated within the criminal justice system. Here, the issue of police rule compliance with procedural laws becomes problematic. This is because the contemporary social structures in Nigeria operate in such a way as to grant some level of relative autonomy to the police.

The emergence of the criminal law and policing as objects of Marxist analysis has been very much part of the Marxist tradition. The problem of locating policing within the Marxist conceptual framework has led writers like Rushe, Kirchheimer, Melossi, Pavarini, and others, to stress the interconnection between policing institution and



economic requirements of modes of production. Others like Pashukani, Poulantzas, Hay, Schumpeter and Ignattief, have preferred to stress the role of police in political and ideological class struggle while Rushe and Kirchhiemer located development of policing institution to social relations.

Its theoretical expositions of locating policing as a function of economic determinants can be enumerated as follows: First, punishment or methods of law enforcement are to be viewed as historically specific phenomena which appear only in particular concrete forms. Second, it is the mode of production which is the key determinant of specific policing methods in specific historical period. Third, law enforcement forms must be viewed as social artefacts which have social significance well beyond the technical requirements of crime control. Fourth, legal sanctions and policies are directed almost exclusively against those people whose class background, poverty, neglected education or social status drove them to crime. Fifth, policing must be viewed not as a social response to criminality of individuals but as a mechanism which is deeply implicated within class struggle between the rich and the poor, the bourgeois and proletariat. Sixth, policing should be analysed on the role in the economic struggle instead of its official rhetoric which veils it as mutually beneficial to society. These sets of propositions decorate the development of policing within the general pattern of economic change with particular variation in the supply, demand and social use of labour power (Rushe and Kirchhiemer, 1968: 206). The criticism of policing from the point of view of economic relations include its fairly high level of abstraction, and dependency on secondary literature and historiography to produce a balanced historical account. Similarly, it grossly understates the importance of ideological and political forces.

Pashukanis (1978) begins his elaboration of the Marxist view of law by showing how judicial categories are dialectically linked to capitalist economic relations. For him, the central forms and categories of bourgeois law are direct corollaries of forms which are embodied in capitalist commodity exchange. Law thus gives legal expression to a specific form of economic relations in a way which both legitimizes and facilitates the latter (Pashukanis, 1978: 188). Historically, the legal form being enforced by the police provides regulative structure which sanctions capitalist relationship and enforces the appropriate economic rule. At the same time, law provides a powerful ideology which help legitimize these relationship by phasing particular interest as universal right. In his book "Law and the Violation of Law", Pashukanis argues that the realities of crime and law are very different from those portrayed by legal forms and its ideological appearances. The criminal is like in all laws, an instrument of class domination and occasionally class terror by protecting the property claims of the dominant classes as well as the social and moral structures which support them. Such laws are directed chiefly against those elements who have lost their positions in society or against those who pose a political danger.

Pashukanis further insist that every historically given penal policy bears the imprint of the class interest of that class which instigates it. Therefore, society as a whole does not exist except in the fantasies of the jurists. But in reality, we are faced only with classes with conflicting interest (Garland, 1990:113). Law enforcement practice then becomes a mechanism of class rule embodied in a legal form succeed in promoting its ideological effect, criminal law furthers the claims of constitutional state as a neutral guarantor of individual freedom.

Within this perspective, the criminal justice system is an embodiment of abstract legal forms and a weapon for class struggle. Consequently, there will be occasion when the exigencies of the political situations lend the state authorities to dispense with the niceties of the legal form and pursue their class objectives by more direct means. When this happens, the impartial court and its legal guarantees will be ousted by an organization of un-meditated class violence with methods guided by consideration of political expediency alone. Thus when protection of class interest demands it, the legal and cultural forms which normally encase legal practices will give way to a more direct deployment of penal violence. Policing is, in the last instance, a political instrument of repression though, it is more usually presented by ideological concerns and legal procedures.

The Marxist concern of portraying policing in forms of changing social relations is discernible in Douglas Hay's account on policing, Douglas Hay (1957) stressed that policing laws concern itself with social authority and the governing claims of those in power. Its coercive sanctions and symbolic displays makes policing a form of power exercised as well as power expressed. Penal law therefore is a status apparatus which conserves inequality of the social order with policing as a state directed practice, embedded in legal forms and ideological framework. As a controlled apparatus of repression and ideology, policing plays a role in more extended social conflicts and strategies of domination. Alongside its social function in the control of crime, it operates as an instrument of governance by one class against another.

In the same vein, Spitzer (1978:330-335) argues that policing must be treated as a historically specific and structurally linked social phenomena. Penal categorises therefore corresponds to the dominant pattern of economic relations and the supporting

role which policing ideology play in constructing a hegemonic form of social domination. It holds therefore that policing in capitalist societies are targeted economic and political threat posed by organized class struggle (Green, 1991).

The Marxist perspective is able to handle and ask with greater emphasis, the question of who makes the rule and why (Taylor et al. 1973:221). They answer that the ruling class makes facilitative laws in furtherance of its narrow interest. In search of that interest (specific order), the interest of the generality may also be served. Marxist charge that the police in enforcing these bias law, further discriminated against the members of the subordinate class (Rieman 1965:104-105).

In the same vein, Marcuse elaborates the relationship between the legal institution and the interest of the ruling class by stating that "the state being and remaining the state of the ruling class sustains universal law and order, and thereby guarantee at least a modicum of equality and security for the whole society". Only by the virtue of these elements can the class state fulfil the function of moderating and keeping within bounds of "order" the class conflict generated by the production relations. It is this "mediation" which gives the state the appearance of a universal interest over and above the conflicting interests (Herbert Marcuse, 1971:101).

Spitzer (1981) similarly elaborates the Marxist view of policing as a form of sociological reductionism. It argues that professionalism, impartial enforcement of just legal rules and actualization of cherished community values is preserved by ignoring the complexity of the subject and neglecting the historical and dialectical character of policing as a changing social relationship. Spitzer endorsed Douglas Hay (1975) and Michael Ignatieff (1975) view of policing by political manipulation which regards policing as a symbolic display of power which conserves inequality of the social order.

Spitzer was however emphatic in his agreement that the police and the state should not be read as if directly expressive of the interest of a particular ruling class. Like Pashukanis ideological view point of policing, he endorsed that the control of the ruling group over the state is far more dependent on ideological control and political manipulation.

This recognition that the police force has relative autonomy and independence is the major distinguishing feature of contemporary Marxism from other classical perspective. Marenin (1983:1) and Douglass Hay (1975), argues that, the state and the police have interests of their own which will influence what they do or refuse to do. Although the police fulfil its social function in the control of crime but as a state directed practice embedded in legal forms and ideological framework it plays a role in more extended social conflicts and strategies of domination. Marenin, however, concludes that even though the police is not purposefully used by the ruling class for the promotion of class interest, policing in stratified or prismatic societies like Nigeria must necessarily be discriminatory in its impact with the lower class interests being highly compromised. It is at this point in the discourse that police discretion and its control is brought into the picture

Marxism argues that the very existence of police discretion can be explained by the fact that the police is part of the state repressive apparatus functioning in the interest of the capitalist class. Police discretion is therefore useful to the ruling class for political expediency and ideological manipulation of exceptional classes in policing policies. Discretion implies choice, choice among actions as well as choice not to act, and as such it possess a serious threat to the ideal of a government of laws and of equal justice under the law. Marxist argument on police discretion tend to articulate discriminatory impact

of policing on the peasants. By this creation of social disorganization, this class distinction breeds endemic criminogenic conditions particularly within the marginalised groups. Indigenous studies of the manner of arrest and method of interrogation of the police tend to reflect perception of status and power. Marenin (1968:28), asserts that the socio-economic status determines the type of treatment meted out. According to him officers of the Nigeria Police Force avoid situations that could expose them to possible repercussions by the powerful. Chambaliss (1974:72) found that in Nigeria, payment of bribes to the police is usually possible whenever an arrest is likely. Weiner, (1974), Cooper (1975) and Walker (1977) found that confrontational situations in which police powers are challenged are usually characterized by excessive use of force, violation of defendant right, alienation and antagonism. Similarly Jacob Chwast:(1973:113) in his psychological research, claims that the social and personal values of the law enforcement officer condition the quality of service he delivers to different segments of the population at large. Agbarah (1971:70), Rotimi (1991:187) and Ahire (1991:120) assert that police actions are politically biased and corrupt.

These various studies tend to agree that the *raison d'etre* of the Nigerian police force is the protection and perpetuation of the capitalist socio-economic order. However, literature on the evaluation of the effect of organizational arrangement on particular law enforcement strategies is scanty. Given such broad conceptualization, inferences on police civilian encounter would tend to work to the disadvantage of the public.

#### **2.4 Legal Framework of Arrest and Interrogation in Nigeria**

Conceptually the operational grid which shapes policing behaviour with contemporary Nigeria Societies is the substantive and procedural criminal law. This law

creates boundary around which variety of police behaviour takes place. Similarly, the police Act, section 10 provide the general duties of the Nigeria Police Force to include, the prevention and detection of crime, apprehension of offenders and preservation of law and order. Other police duties include the protection of life and properties and the due enforcement of all laws and regulations with which they are directly charged. Other provisions enlarging or elaborating on these police functions is the fundamental human right which provides the right to life, right to personal liberty and right to freedom of thought, conscience and religion. Other constitutional rights include right to freedom of expression and press and right to freedom of movement (Nigeria Constitution, Cap. 4; Sec. 30-37 of 1979).

In order to perform these duties creditably the police are empowered by section 24-30 of the Criminal Procedure Act with powers to arrest with or without warrant, powers to grant bail and powers to detain and search suspected persons among others. Each of these powers are clearly defined in law and must be exercised only for lawful enforcement purposes including legal authority to use force when to do so is unavoidable.

Essentially, the mandate to use any power or authority is the question of legality, impartiality and consent. Ladan (1999) poses four questions which should be in the affirmative before the use of any police power or authority will be justifiable. These include whether the power used in a particular situation have its basis on the constitutional law and whether the exercise of that particular power is strictly necessary given the circumstances of the respective situation. Furthermore, the questions include whether the power used is proportional to the seriousness of the offence and the legitimate law enforcement objectives to be achieved. The other questions include

whether the exercise of that particular power is in conformity with the relevant statutory provisions and the international human right standards. Within the Nigeria criminal administration the ideal has been to circumscribe the power of the state through guarantee of procedural checks on the discretionary options of the police officers. Such discretionary invocations are accepted as desirable except when such discretion are not sanctioned by law. The proper use of discretionary powers by the police has become an increasingly debated issue in the wake of charge of arbitrariness in exercising power, pervasion of justice and delay in the administration of justice.

Despite these constitutional and procedural guidelines, specific citizen encounters with the police in contemporary Nigeria society has been problematic and marred by rule violation, accusation of police brutality and discriminatory bias. In fact there are manifestation that police rule compliance indicated widespread deviance (Alemika, 1996). This observation is consistent with Clinnard and Abbot (1993) earlier suggestion that differential arrest and interrogation particularly affect the proletarians with very low socioeconomic status. Here, the social inequalities and power considerations that are present in law enforcement are likely to fit the status of the offender. Similarly, Marenin (1983:23) stressed that socioeconomic status of the offenders determines the type of treatment meted out to him by the police. He observed that the police officers usually avoid situations that could expose them to the powerful.

That the police officer knows about the legal constraints guiding criminal proceedings is by no means certain. With the poor educational entry requirements for police recruits and the shallow content of police training manuals, the police are unlikely to understand the procedural requirements of the criminal law seldom understood by well educated lay persons (Wasby Stephens, 1979). Even the cautionary rule of interrogation



which constitute efforts to simplify the determination of the voluntariness of suspects statement is flagrantly violated by the police (Lawrence Baun, 1979; Kharisu Chukkol, 1995:68) similarly drew several scenarios of police rule violation which were unjustifiable but understandable in a society that practised protracted military rule.

Efforts were similarly made to relate police compliance with arrest and interrogation laws to its historical evolution. Historically the police evolved as the state instrument of coercion and the proletarianization of the political economy with the police and the state directly expressing the interest of the ruling class (Marenin, 1983). Ahire (1993) on the other hand relates police rule violation to the imperfection of the historical evolution of policing in Nigeria within the context of the penetration of colonial capitalism. It is this exploitation of the indigenous territory that shapes the formation of contemporary policing in Nigeria.

## **2.5 Research in Police Rule Compliance with Rules of Arrest and Interrogation**

Considerable body of scholarship on laws of arrest and interrogation of offenders has concentrated on the criminal law in general and the world of the police in particular. Empirical analysis on circumstances affecting the probability of arrest and the general principles which affect the social organization of arrests and interrogation of offenders have been documented (Lafave, 1965; Swanson, 1979; Goldstein, 1964; Odekunle 1979; Gyong, 1988; Ahire, 1991; Alemika, 1993). These and other attempts have focussed on the different aspects of the difficulties experienced by the citizens as a result of police violation of the rules of arrest and interrogation.

In 1963, the presidential commission on law, enforcement and administration of justice in the United States conducted a survey on the causes and consequences of police

action. The purpose was to determine to what extent policemen's personal attitudes influence their official actions. On the basis of this findings, a number of observation were made. Aggregate analysis of these observation suggest that left alone policemen tend to follow their own inclination in dealing with offenders. However, when not alone, the expression of personal feeling is muted or deflected into different channels. In the case of arrest, increased exposure to the organization or to a partner mutes the effect which an officers' own racial views have on his decisions. This is probably because the officers knew that the organization expects them to keep their personnel feelings out of their official decisions. In the case of manner of arrest, increased exposure seems to deflect the effects of prejudice. This may be due to the bureaucratic nature of modern police organizations and their emphasis on police professionalism, both of which establishes a norm for policemen's manner of neutral and impersonal demeanor to arrest and interrogation functions.

Although this survey addresses only the relationship between white policemen's racial attitude and their treatment of black citizens, generalization to other attitudes and behaviours will be unwarranted. This is especially so, since the data analysed here were gathered at a time when the racial attitude of policemen and their treatment of blacks were very salient issues to the policemen, police organization and the public.

The study presents a reliable picture of the nature and character of arrest pattern as a determinant of racial prejudice of officers. Although the scope of study and the area studied is wide, its findings and conclusions are limited. Consequently, the survey by the presidential commission on law enforcement and administration of justice does not present a comprehensive picture of police rule violation in laws of arrest and interrogation. These deficiencies are covered in the present effort.

Another survey has focussed on public perception of police arrest by cross tabulating citizens characteristics of age, race, income and victimization. Individual level data on citizen perception of police arrest were drawn from a 1968 survey by Campbell and Schuman of residents in fourteen central cities of the United States. Two programmes intended to have a positive effect on public attitude towards the police were examined, the first is whether the city had a police community relations programme. The establishment of a citizens public complaint board is the second variable.

Other factors influencing citizens attitudes towards police serve as control variable in the analysis. Police effectiveness in dealing with crime is measured by the clearance rate. Relative high crime and/or low clearance rate may well negate the positive effects of police public relations efforts. The nature of police citizen contracts and general citizens attitude towards government may also influence evaluations of police. Police citizens contact are measured, first as the probability of arrest for blacks and whites in each city and second, as a respondent's belief that police abuse occurs in his neighbourhood. Both a high probability of arrest and belief that police violation of the rule of law is common should be predictive of a weak police programme-citizen evaluation linkage.

The findings show that the linkage between programmes and attitude is positive and related to more positive police evaluation. For the white respondents, the existence of citizen complaint boards and community relations programme has almost no relationship to public evaluation of the police. There is a preliminary evidence to indicate that programmes designed specifically to improve police officers minority relation engender feeling of resentment towards these minorities. Such programmes may be perceived by whites as a unnecessary accommodation to black community.

The data also demonstrate that the programmes examined in this analysis have not had a major effect on the general police community environment in these location of study. The general weak relationship may be that these programmes are not important factors in shaping public attitude towards the police or rather the community perception of the police is mostly affected by the nature of specific police citizen encounter/or relationship. A single negative contact of police rule violation may alter an individual perception of the police and the police programmes in general. By way of contrast Bordua and Tift (1973:156) observed that police community relations are, in large measure, a result of the everyday actions of patrolmen carrying out their duties on the street.

This survey indicate another significant contribution to understanding public evaluation of police arrest and interrogation of suspects. The study has demonstrated that in the final analysis, the perception of public satisfaction or dissatisfaction with police services is a function of the method and manner of police arrest. Therefore the present effort of promoting public image through police community relations programme and/or citizen public complaint boards may not be effective in promoting the efficiency and effectiveness of police officers. Never the less it is deficient in some important aspects. First, the result reported here may understate the impact of the programme upon evaluation of the police to some extent. Jacob (1975; 47-56) has noted the impact which police contact has on citizen perception. Negative evaluation are closely related to past experiences. To capture this relationship precisely would also require data reflective of individual perception of the programmes themselves. Therefore its conclusions are hasty. Second, factors not included in the research design may also be confounding the analysis. For example, police citizen contacts, poor operationalized

programmes and socioeconomic conditions may be suppressing the relationship.

A number of empirical efforts aimed at assessing the consequences of police rule compliance with laws of arrest and interrogation has also been undertaken in Nigeria. One of the earliest in this regard was conducted by Clinnard and Abbot (1973). Their study concentrated on differential arrest and interrogation of offenders using the demographic variables of socioeconomic status. He noted that differential arrest and interrogation particularly affected the proletariat with very low socioeconomic status. He therefore concluded that when social inequalities and power considerations are present, law enforcement is likely to fit the status of the offender.

The findings show that police define citizen physical social disabilities in language of arrest. This discrimination in most circumstances are not entirely explicable in terms of seriousness of offence or circumstances within which the offence occurred. This discrimination however is not only consistent with the socioeconomic factors but also pervades the areas of residence and other extralegal variables. This findings is supported by Marenin (1983) who stressed that the socioeconomic index of citizens determines the type of treatment meted out to them by the police. According to him officers of the Nigeria Police avoid situations that could expose them to possible repercussion by the powerful.

This study by Clinnard and Abbot presents a good pioneering effort in understanding the determinants of police arrest. However, the scope was too narrow as it concentrated only on the socioeconomic index. In addition it confined itself to only a particular geographical location. Such an approach is not very helpful as it overlooks other organizational and environmental influences on police compliance with laws of arrest and interrogation. It also overlooks the problem of police rule violation. To this

extent therefore, the effort by Clinnard and Abbot does not provide enough details to enable the understanding of the nature and character of police compliance with laws of arrest and interrogation.

Another problem that arise from this study by Clinnard and Abbot is the naivety of the explanation. The study gives the impression that police single mindedly proactively seek out citizens with social deprivation for arrest. This is quite misleading. The nature of police arrest and interrogation does not lie exclusively with the social class of the offender. Rather it is the nature of his activity pattern in the operative mode of production that attracts police attention. Consequently, the solution to the problem of police rule compliance does not lie with the socioeconomic status but in effecting structural changes in the society that will reduce opportunities that will precipitate criminalization of the weak.

The empirical studies on determinants of police arrest and interrogation show that the functionalist perspective does not contain the potential to provide satisfactory account of the problem of the police in contemporary Nigeria. In spite of the influence of the functionalist philosophy on penal social control by the police, it does not make any satisfactory provision for understanding the problems of police rule violation in laws of arrest and interrogation in criminal administration. Consequently there is the need to search for a more relevant explanatory framework that fully accounts for the problem of police rule violation in laws of arrest and interrogation in contemporary Nigeria. This is readily provided by the Marxist perspective.

## 2.6 Theoretical Orientation

The core question which this literature review examines are; To what extent is the procedural laws of arrest and interrogation of suspects complied with by the police? To what extent is the variation in police arrest and interrogation of offenders a consequence of the characteristic of the police officer? What informs the difference in arrest behaviour of the police officer for either an arrest or no arrest alternative when an infraction of the law has been committed? and what informs the citizen's discretion to report or not to report a crime to the police? The search for a relevant theoretical model that satisfactorily answers these questions forms the objective of this subsection.

The criminal law creates boundary around which variety of police behaviour takes place by specifically indicating what the police may do or must not do in law enforcement situation. The precise extent to which police officers comply with legal boundaries that guide arrest and interrogation of offenders has greatly influenced theoretical thinking in criminology. The frequency of civil litigation and procedural rulings in law suits brought against the police for non compliance demonstrate police rule violation. Consequently, the major expectation of this study is to conceptually and empirically establish the forces that dictate the interaction between Police rule compliance and the procedural laws of arrest and interrogation.

In the light of the above observation one can logically conclude that any effort aimed at understanding the nature and character of the laws of arrest and interrogation should also be extended to police rule compliance. In the same vein, any realistic effort aimed at finding solutions to the negative consequences of police non compliance cannot be limited to the procedural laws. Such findings logically should be extended to solving the resultant difficulties citizens experience from the effect of police non compliance

with the law. This therefore suggest that the theoretical model that accounts for the procedural laws should simultaneously explain police rule compliance. The theoretical model of the structural functionalist perspective and the Marxist perspective are examined in this regard for their strength and weakness in addressing the research problem.

The functionalist perspective enviably characterises the consolidation of the dichotomous system of administration and the legal recognition of the common law in Nigeria. However, it does not possess the potential to provide satisfactory account of the difficulties and consequences of police rule compliance in contemporary Nigeria. This is because its assumptions does not adequately offer a viable framework for analysis of police work for the following reasons.

First, the conception of society as self contained system negates the reality of internationalization of capital and capitalist relations of production and exchange. It also underplay the incorporation of developing societies into the international capitalist order (Groulbourne, 1971; Hoogvelt, 1977, Ahire, 1990). The notion of compatible structures also reflects a negation of the existence of antagonistic classes within contemporary developing societies and their long history of class struggle (Frank, 1971: Dos Santos, 1973). On the whole the conception of society within the functionalist discourse is static.

Second, the conception of society as self contained system is teleological in the type of explanation it employs. For example, it argues that part of a system exists because of their beneficial consequence for a system as a whole. The main objection of this type of reasoning is that it treats an effect as a cause (Haralambos, 1984: 532). But effect can not explain a cause since causes must always precede effect.



Third, is its non-historical approach to the analysis of social phenomena.

Consequently, its conception of harmony, freedom, equality and rationality is based on abstract analysis of their relations to the means of production. Similarly, symptoms of the operating social order, like crime and its related outcome of police arrest, are analysed as abstract phenomena that results from cost benefit analysis of individuals desire, well above the normal share of freedom.

Fourth, the functionalist conception of the state is overtly simplistic and misleading. The state is far from being an independent third party. It is fundamentally an embodiment of the interest of members of the dominant few in the society. It is also an important machinery which is needed in establishing political structures and ideological categories, in perpetuating their economic interest (See Hay, 1981, Hoogvelt, 1976). Another major flaw of the functionalist perspective is its assumption of consensus or compatibility structure in a society which ignores the existence of class conflict in the society. This distort the nature of social reality. Similarly, functionalists claim that police problems can be ameliorated through reforms without making explicit statement about the specific ways in which such reforms may be brought about. However, given the specific police role in containing working class dissent, all attempts at controlling police discretion through reforms is doomed to failure (Brogden et al, 1988). This is due to absence of broader changes designed to end the "endemic slump-boom" cycle of capitalist crisis and their political ramifications.

Consequently, there is the need to search for a more relevant explanatory framework that fully accounts for the difficulties citizen encounter through police non compliance with the procedural laws in Nigeria. This is readily provided by the Marxist perspective.

Marxism is a part of a wide theoretical framework in sociology known as conflict theory. Marxism argues that the consequences of the relations of production that arises between various classes in capitalist society do not solely represent the exclusive interest of any class. This arises from the fact that such consequences are themselves unpredictable. However, in spite of the unpredictable nature and consequences of the relations of production, the relative advantage which the ruling class enjoy over other classes gives it greater certainty of a favourable outcome than otherwise.

A related point to the above is the fact that the ruling class does not have absolute control over the political superstructures. For instance, although Hay (1981) see law as an essential component of the capitalist socio-economic formation, it is not controlled by the ruling class. In the same vein, Greenberg (1981) notes that although the existence of law is rooted in class relations, especially class conflict, its content is not necessarily controlled by a single class. This view suggest that it is not merely the will of those that rule but the relations of production that determines the police powers of arrest and interrogation of suspects. Similarly, these super-structural elements such as the police, bureaucrats, intellectuals, etc do enjoy some level of autonomy and independence from the state. This technically separates them from the absolute control of the ruling class. It is this relative autonomy of the police from the ruling class that brings to focus the problem of police non compliance with the procedural laws of arrest and interrogation. This is because this relative autonomy grants them some level of autonomy in terms of authority structure and organizational preferences. However, because of the superior economic power of the ruling class, it naturally dominates and exercise substantial amount of control over other classes in the society.

The foregoing analysis suggest that the character of the various structure of society largely depends on the dialectical relations between the various classes. It also suggest that the state and its apparatus reflect the broad interest of the ruling class. However, such interests are usually given a national outlook in order to secure legitimacy and universal consent (see Gyong, 1994, Greenberg, 1981). Armed with this nationalist outlook the ruling class is able to determine the content, structure and mode of operation of the criminal justice system. It is by this determination of the outcome of the criminal justice system that the ruling class is said to influence the determination of the definition of crime, police powers of arrest and interrogation of offenders and their eventual treatment within the criminal justice system

Given this structural arrangement of the capitalist societies, it is observed that most offenders arrested and interrogated by the police are involved mainly in property offences, than offences involving persons and morality. This is because one of the distinctive features of capitalism is the expropriation and accumulation of surplus value and its transformation into commodities (see Marx, 1894).

On a comparative basis, the Marxist perspective aside from bringing to focus the concept of police discretion and police compliance to procedural laws, it is considered a more suitable theoretical framework for the analysis of police compliance with laws of arrest and interrogation in Nigeria for the following reasons. First, this philosophy provides a strictly scientific concept of the general laws governing the various forms of social relations and social controls that influence individual and group behaviours. In this context, it provides a comprehensible tool for understanding penal social control that the police enforces in effecting arrests. For instance, Gyong (1994) notes that Marxism has the capacity to examine human activities at a macro level

without totally ignoring the macro processes. Second, Marxist philosophy provides a rational model of understanding police compliance with the procedural law through its concept of relative autonomy which grants the police some autonomy in their operations of enforcing penal sanctions. In controlling police discretion the Marxist philosophy prescribes a prospective control. This control requires the police to do the job assigned to them before the fact (Brogden et al, 1988:104). This is superior to the functionalists retrospective accounting which requires the police to offer legally acceptable justification for their operations after they have been undertaken.

Third, Marxist philosophy is based on science and methodology of dialectical and historical materialism. Consequently, it specifies the historical forces responsible for the emergence of social phenomena. Thus Marxist perspective is able to analyse Nigeria history from pre-colonial to its present form. Similarly, it has analysed over time, its dominant class structure, and ideological underpinnings that characterized the process of production, distribution and exchange of goods and services. Therefore it has been able to demonstrate that the problems of police rule, compliance with arrest and interrogation laws in contemporary Nigeria states is a by product of these historical development.

With specific reference to the research objective, and its method of analysis, the Marxist perspective is able to justify their relevance within its framework by demonstrating that all social phenomena could be rooted to contradictions within the social order. Therefore it has convincingly argued that the problem of police compliance with procedural laws can be understood from the nature of the contradictions inherent in the operative social order. Consequently, it maintains that the consequences of police arrest and interrogation of offenders in contemporary Nigeria are inherent product of its dialectical and historical forces propelling the operative social order.

## CHAPTER THREE

### THE METHODOLOGY OF THE STUDY

#### 3.1 Introduction

This chapter describes the methodology employed in the study. The coverage include the description of the specific techniques employed in collection and analysis of data on police compliance with laws of arrest and interrogation. Consequently, the coverage of this chapter includes; period and location of study, sampling, variables, techniques of data collection and data analysis. Finally, the chapter examines the methodological difficulties encountered at the various stages of the study and the measures employed to overcome these difficulties.

#### 3.2 Period and Location of the Study

The study of police rule compliance with laws of arrest and interrogation was conducted in the different research locations from January to May 1999. Here only details of cases of arrest and/or interrogations observed by the researcher between these periods are being considered in this study. This will reduce the methodological difficulties associated with telescoping or recalling past experiences of arrest and interrogation.

This study was conducted in Maiduguri, Ibadan and Enugu towns. The choice of these locations was determined by the circumstances affecting the probability of police arrest and interrogation, in the varying geographical areas of the Northern, Western and Eastern parts of the country. The choice of these locations is also justified on the ground

that as cosmopolitan centres, they adequately represent police organization and police practices throughout the country. Similarly, the differing cultural and socioeconomic background lend credence to them as research site for gauging police public interactions. Consequently, these research locations qualify as centres for gauging police public interactions.

### 3.3 Sampling

Two methods of sampling were used in selecting the unit of analysis of this study. While the Purposive method of the non probability sampling was used in selecting the states from the regional areas, the simple random probability sampling was used in selecting the research location. In adopting these sampling strategies, the factors of material and financial resources were taken into consideration.

The purposive method of the non probability sampling in this study was applied in this way. Geopolitically, Nigeria is divided into three geopolitical zones. These include the northern region, the western region (including Lagos colony for the purpose of this study) and the eastern region. From these regional arrangement four states were purposively selected from each region (see Table 3.1). The consideration for these selection is based on the choice of the best four industrialized and commercialized states in the respective regions. Consequently these rapidly developing states qualify as centres for gauging police public interaction. These four states include Kaduna, Kano, Plateau and Borno in the north; Oyo, Lagos, Ogun and Edo in the west and Anambra, Enugu, Imo and Rivers in the east.

The Second stage involved the selection of one of these four states in the regional groupings by simple random sampling. The samples within each regional grouping are

drawn so that every member of that population has a specific non-zero probability of being selected as the research location. Using this technique, Borno, Oyo and Enugu States, respectively were selected as research locations.

**Table 3.1 CLUSTER SAMPLING DESIGN OF RESEARCH LOCATION**

S/No	Regional Cluster	States within regional cluster	Population of State	Selected State	Research Location
1.	Northern Nigeria	Adamawa	2,124,049		Borno
		Bauchi	4,294,413		
		Bcnuc	2,780,398		Borno
		Borno	2,596,589		
		Jigawa	2,829,929		Kaduna
		Kaduna	3,969,252		
		Kano	5,632,040		Kano
		Katsina	3,878,344		
		Kebbi	2,062,226		
		Kogi	2,099,064		
		Kwari	1,566,469		
		Niger	2,482,367		
		Plateau	3,283,704		Plateau
		Sokoto	4,392,391		
Taraba	1,480,590				
Yobe	1,411,481				
FCT	378,671				
2.	Western Nigeria	Delta	2,570,181		Oyo
		Edo	2,159,848		Edo
		Lagos	5,685,781		Lagos
		Ogun	2,338,570		Ogun
		Ondo	3,883,485		
		Osun	2,203,016		
		Oyo	3,488,789		Oyo
3.	Eastern Nigeria	Abia	2,297,978		Enugu
		AkwaiBom	2,359,736		
		Anambra	2,767,903		Anambra
		Cross River	1,856,604		
		Enugu	3,161,295		Enugu
		Imo	2,485,499		Imo
		Rivers	3,984,857		Rivers
<b>TOTAL</b>			<b>88,514,501</b>		

Source: 1991 Census figure, National Population Commission.

To further delineate these location, the research is limited only to the state capitals of the selected states with the police divisional headquarters within such capital serving as the enumerative areas. These police divisional headquarters located within a density populated communities of the state capital serve as a ready forum of police civilian interaction. This is because these societies are organised naturally in this form.

The third stage involves the selection of nine (9) police divisional headquarters, as research locations from the thirty five (35) enumerated police divisional headquarters located within the metropolitan towns of Maiduguri, Ibadan and Enugu respectively. Using simple random sampling methods, nine (9) police divisional headquarters that will constitute the research location was selected as shown in Table 3.2 below.



**Table 3.2 RANDOM SAMPLE DESIGN OF RESEARCH LOCATION**

S/No	Selected state	Capital of state	Police jurisdiction in state capital (Police Divisions PD)	Selected research location (PD)	Status of reserach location
1.	Borno	Maiduguri	Lamisula Gwange Bulumkutu Bulabulin Dandal Ibrahim Taiwo Estate Metropolitan Benisheik Konduga Metropolitan Jere Magumeri	Dandal Lamisula Konduga	
2.	Oyo	Ibadan	Eleyele Ademasigba Iyagokun Challenge Bodija Sango Moniya Iyanaofa Fiditi Akpata Ojo	Iyagokun Bodija Fiditi	
3.	Enugu	Enugu	Ogbette Aukunano Agbani Trans Ekulu Abakpa Nike Ogui Road Collier Abakiliki Road New Haven Central Ngwo Agbani Emene	Central Ogbette Ngwo	

Table 3.2 depicts the random sampling design of the research locations. Using the simple random sampling method, police divisional headquarters of Dandal, Lamisula and Konduga, were selected in Maiduguri. In Ibadan Metropolitan, Iyagokun, Bodija and Fiditi were selected while the police divisions of central, Ogbette and Ngwo were selected in Enugu. These nine (9) police divisional headquarters therefore constitute the research location for investigating police compliance with the rule of arrest and interrogations.

### **SAMPLING FRAME**

The population used for this study was drawn from both police patrol officers and the civilian population. Because of the absence of an existing sampling frame for the police population, the need for a reliable sampling frame arises. The sampling frame for the police was drawn from police enforcement operative sub-groupings, based on information drawn from an earlier preliminary census of police operatives. This is because the relationship of beat patrolling and interrogation being studied are present in these operational sub-groupings. These operational sub-grouping which are involved in police enforcement actions include the counter registration officer, the static beat patrol, the motorized patrol and the foot beat patrols. Police patrols may be defined as the movement rank and file of the police department (usually headed by an inspector or a senior non commissioned officer) on beat from one specified point to another with a view to deter crime (Manning and van Maanem, 1978).

The beat may cover a precinct in a city, a strategic road junction or a town embracing several communities depending on the density of the population. The objective of the patrol is to disperse policemen in a way that will reduce the opportunity

of misconduct and increase the likelihood of offenders being apprehended while he is committing the offence or immediately after. Such crimes which they seek to prevent are usually brought to their attention by the citizens or discovered by the police department themselves.

Similarly, there is no sampling frame from which to draw representative samples for the respondents from the general public. As a result the accidental, non probability sampling method was utilized

### **SAMPLING SIZE**

The population used for this study was drawn from both the police population and the civilian population. For the police population, the purposive sampling method is used in obtaining the sample size to be interviewed. Here use is made of the police departmental weekly duty roster which proportionately stratifies police officers into duty posts or operational sub-groupings used in deriving the sample frame. The following specification were used in drawing the sample size. Fifteen (15) police officers were selected from the duty schedule of the counter registration officers, static patrol, motorized patrol and foot patrol sub-groupings respectively. This amounts to a total of 60 police officers for each police divisional headquarters. In effect a total of 540 officers were selected as the sample size of the police population that will be interviewed in this study as shown in Table 3.3 below.

Table 3.3

**SAMPLE SIZE AND LOCATION DISTRIBUTION OF POLICE  
RESPONDENTS**

S/No	Selected States	State capital	Research location	Population of Police Division	Sample size of population
1.	Borno	Maiduguri	Dandal PD	136	60
2.			Lamisula	125	60
3.			Konduga	193	60
4.	Oyo	Ibadan	Iyagokun	129	60
5.			Bodija	112	60
6.			Fiditi	172	60
7.	Enugu	Enugu	Central	133	60
8.			Ogbette	104	60
9.			Ngwo	169	60
Total				1050	540

PD = Police Division

Table 3.3 shows the sample size of police respondents that were drawn from the research location. Out of the nine research locations or police divisional areas that were selected from Maiduguri, Ibadan and Enugu Metropolis, Sixty (60) police officers were proportionately selected from each police divisional headquarters. Altogether a total of 15 counter duty officers were observed while 540 patrol officers were accompanied in patrol by the researcher and three enumerators for a period of 21 weeks. Trained police personnel were used as enumerators. Similarly, the enumerators observation were standardised to ensure reliability of data by including a 5% margin of error in the analysis of data. The observational period of 18 weeks is specified as 6 weeks in Maiduguri, 6 weeks in Ibadan and 6 weeks in Enugu.

Similarly, there is no existing sampling frame from which to draw representative samples for the civilian population. Altogether a total of 540 respondents from the general public were selected for questioning from a total of 1500 patrol encounters. To ensure reliability of the data the following specification was used in compiling the respondents sampling frame. The sample population was divided into two categories of offenders and non offenders categories. For this study, offenders are conceptualized as persons that have experienced police arrest and/or interrogation. This classification provides a wide range of people in the sample with divergent views about police service delivery. The sampling size of offenders and non offenders respondents using their income status is shown in Table 3.4. below.

**Table 3.4 SAMPLING SIZE OF THE OFFENDERS AND NON-OFFENDERS RESPONDENTS USING INCOME**

S/No	Status of respondents	Category of respondents	No of respondent	Total No of Patrol
1.	Offenders status	(i) Male respondents with high income	100	
		(ii) Male respondents with low income	100	
		(iii) Female respondents with high income	35	
		(iv) Female respondents with low income	35	
2.	Non-offenders status	(i) Male respondents with high income	100	
		(ii) Male respondents with low income	100	
		(iii) Female respondents with high income	35	
		(iv) Female respondents with low income	35	
Total			540	1540

Table 3.4 shows the sampling size of the offenders and non-offenders status of respondents that constitute the sampling population drawn from the research location. With a view obtaining a sample that is representative of the Nigeria public, the following specification were utilized in order to ensure reliability of the data. First, the population of study was divided into two status of the offenders status with 270 respondents and the non-offenders status with 270 respondents respectively, totalling 540 respondents in all. Second, each of this respondent status of for the offenders and non offenders respectively were further subdivided into four categories using the index of income status. These categories include male respondents with high income, status, male respondents with low income status, female respondents with high income and female respondents with low income respectively. The disproportionality in the male and female representation in the sample is due to the inverse relation between offenders sex and police decision to arrest. (Maliki, A; 1994). A preview of police arrest and interrogation is defined in the language of masculine gender. Similarly, the available subject method is utilized in the determination of these respondents categories. This method although its introduces bias allowed most of the arrestees brought to the station to be interviewed. This data provided the data necessary for the statistical and qualitative analysis.

## VARIABLES

The hypothesis advanced by the study requires the measurement of four (4) different classes of variables. These include legal framework of laws of arrest and interrogation, visibility of action to police organization, police awareness of laws of arrest and interrogation and public perception of the police. The first dependent variable

of legal framework of police arrest and interrogation is defined as the legal statute that defines police powers in arrest and interrogation of suspects. This dependent variable is assessed by the independent variables of social characteristic of the suspect, complainants preferences and legal seriousness of the alleged crime. The other independent variables include suspects age and evidences available at field setting.

The second dependent variable of visibility of police arrest and interrogation to police organization is defined as the control authority decisions. These control decisions influences the average police officer in his transmission of organizational goals in to particular, policing action. The visibility of police arrest and interrogation is assessed by the following independent variables. These independent variables include police discretion, police initiated arrest, public initiated arrest, police arrest and interrogation behaviour, and presence of peer groups.

The third variable of awareness of arrest and interrogation is defined as prior knowledge of the existence of a particular information necessary for compliance. This dependent variable is assessed by the following independent variables. These independent variables include, police interrogative laws, police arrest laws, cautionary rules on arrest, exclusionary laws on searches and seizures, warrant offences and police training.

The fourth dependent variable of public perception of police action is defined as the subjective outcome of the impact of organizational arrangement which affects public evaluation of the police. This dependent variable is evaluated using the independent variables of perceived safety of neighbourhood, safety from burglary and vandalism, perceived honesty of officers, perceived misuse of power and perceived redress from complaint against the police.

These variables were examined on the premise that the police organization have a valid function in our society as an organ of the state for the expression of coercive powers.

## **TECHNIQUES OF DATA COLLECTION**

Four complementary modes of data collection were adopted in the collection of data for this study. They include interview, in-depth interview, focus group discussion and examination of secondary data. The choice of these methods was informed by the nature of the research problem. Similarly observational method was used.

The observation method involves accompanying police officers as they went about their regular patrol duties in the research locations of Maiduguri; Ibadan and Enugu respectively. Trained police personnel were used as interviewers in order to reduce bias. Furthermore, their observations were standardised to ensure reliability of data by including a 5% margin of error in the data analysis. Altogether a total of 540 patrol officers were accompanied in patrol by the researcher and three enumerators for a period of 18 weeks. The researcher and the interviewers were charged with two basic task. First is to observe and discover general principle to which police officers use or withhold their powers of arrest and interrogation and the people and problem they encountered doing it. Second is the observation and questioning of the respondents on details relating to police arrest and interrogation of suspects. Similarly, actions taken specifically as it relates to police compliance with laws of arrest and interrogation was documented.

The data collection involved a period eighteen (18) weeks ranging from January 2000 to May 2000. A duration of Six (6) weeks was spend in each research locations of



Maiduguri, Ibadan and Enugu respectively. Most of the interviews took place during the day irrespective of weekends and public holidays. Similarly, most of the interviews (see interview contact log attached as appendix) were the outcome of at least two or three previous meetings and usually followed by an appointment for the actual interview. The data collection initially designed for an eighteen (18) week duration was extended to twenty one (21) weeks because of delays and failures in appointments. In this regard, the observation method of accompanying patrol officer on patrol was scheduled for four (4) weeks, while the research methods of survey interview, in-depth interview and focus group discussion was scheduled for two week respectively in each location of study

For the data collection techniques of the focus group discussion (fgd), sixteen homogenous groups were identified and interviewed using the demographic variables of age, gender and income index. Another factor that was used in classifying the respondents is experience with police law enforcement practices. The sampling size of discussants selected for the focus group discussion is shown in Table 3.5 below.

**Table 3.5 SAMPLING SIZE OF DISCUSSANTS SELECTED FOR THE FOCUS GROUP DISCUSSION (FGD)**

S/No. involved	Status of Discussants	No
1.	Experienced young male with high income	8
2.	Experienced adult male with high income	8
3.	Experienced young female with high income	8
4.	Experienced adult female with high income	8
5.	Experienced young male with low income	8
6.	Experienced adult male with high income	8
7.	Experienced young female with high income	8
8.	Experienced young male with high income	8
9.	Inexperienced young male with high income	8
10.	Inexperienced adult male with high income	8
11.	Inexperienced young female with high income	8
12.	Inexperienced adult male with high income	8
13.	Inexperienced young male with low income	8
14.	Inexperienced adult male with low income	8
15.	Inexperienced young female with low income	8
16.	Inexperienced adult female with low income	8
Total		128

Table 3.5 shows the sampling frame of discussants selected for the focus group discussion. In totality, sixteen (16) homogenous groups were selected. Altogether 128 discussants were selected from the 16 groupings made up of 8 discussants respectively.

For the data collection technique of in-depth interview, the following key informants were selected in relation to the research problem as shown in Table 3.6 below.

**Table 3.6 SAMPLING SIZE OF KEY RESPONDENTS FOR IN-DEPTH INTERVIEW SCHEDULE**

S/No.	Status of Respondent	No interviewed
1.	Trial magistrates	2
2.	Legal practitioners	2
3.	Senior Police Officer	2
4.	Junior Police Officer	2
5.	Prison Officer	2
6.	Retired Police Officer	2
7.	Community opinion leader	2
8.	Commandant, Police College	2
<b>TOTAL</b>		<b>16</b>

Table 3.6 Shows the sampling size of key respondents for the in-depth interview schedule. In totality sixteen key respondents were interviewed from the different status of respondents. Key respondents were selected by using the staff disposition lists of judicial officers, police officers, prison officers and community opinion leaders within the area of study. Using simple random sampling method, starting from the 10th name of the list all odd number names were picked until the first five names were obtained from each status of respondents. Letters were written to the selected respondents giving information on the research problem. The first two that reciprocated were adjudged as key informants for the in-depth study. Interviews were also scheduled by appointments and arranged at their convenient time. Assessment of the framework of police action towards the citizen was based on in-depth interview, survey interview and the examination of secondary data, particularly, the statistical annual crime reports of the Nigeria Police Force. Specifically it attempts to explicate police responses to reported

crime by placing emphasis on social processes and police compliance with judicial decisions that defined such action.

Assessment of the visibility of police encounters with the public was similarly based on in-depth interviews, survey interview and focus group discussion (FGD). Robert Friedrich (1979) argue that police discretion is more limited in citizen initiated encounters than in police initiated ones because the organization has greater opportunity to monitor what goes on in the former than in the latter. The assessment specifically attempts to explicate police interventions into social formations in terms of high visibility of low visibility to the police organization.

Assessment of police awareness to the laws of arrest and interrogation was based on in-depth interview, survey interview and focus group discussion. Specifically, it attempts to illustrate how conversant the police officers are with the statutory laws that guides their obligation of arrest and interrogation within the backdrop of police compliance with and exclusionary laws.

Assessment of public perception of police actions was based on in-depth interview, survey, interview and focus group discussion. Specially, it attempts to show variation in the quality of service received by individuals who have encountered the police. The manner of police officers action towards the public was measured in a two category *ordinal continuum* ranging from satisfaction (good humoured, playful, jovial, impersonal) to dissatisfaction (hostile, nasty, provocative, authoritarian).

Each of these measurement procedures is fraught with potential for error. Each of the judgement the researcher and the interviewers had to make could be difficult enough in their own right. For example, the determinations of whether the policeman is conversant with the statutory laws, or good humoured or peer visibility is very high

in police initiated encounters is not without the elements of causing alteration in behavioural patterns of participant. This effect was cushioned by the adoption of casual observation method. Similarly, trained police personnel were utilized as interviewers in the research. This provided the advantages of previous knowledge of police duties and reducing bias arising from obstructiveness. Little can be done about this, especially after the fact, except to note that the problem exists and to recognize its probable effects.

### **3.6 DATA ANALYSIS**

Essentially the data analysis or processing routine was determined by the nature of the data collection technique, size of the survey, composition of the questionnaire containing both open and pre-coded techniques, the processing facilities available and the requirement of the computer software package that will be used. Data from the survey interview were quantitative, while those from focus group discussion, in-depth interviews and examination of secondary materials were qualitative in form. In analysing quantitative data collected through survey interviews the following steps were taken in its analysis. The first step involved giving numerical values to free responses or open questions, follow up probes and recorded responses to interview questions in the form of tape recording. Second was the data entry of such completed questionnaire with numerical values to facilitate data analysis and interpretations. Third, was running of frequency distribution on sample variables as consistency checks before engaging in complex statistical manipulations. Fourth is the use of Statistical Package for Social Sciences (SPSS) computer software for analysis of quantitative data for coded responses into bivariate or multivariate analysis with a view of achieving cross tabulation necessary for measurement of associations between the variables.

On the other hand, the qualitative data obtained through in-depth interview, and focus group discussion were not subjected to similar analytical procedures as those of the quantitative analysis. Rather, these qualitative data were used to collaborate or refute the statistical inferences or explanations deduced between the quantitative analysis of the variables in line with the research objectives.

In the data analysis and interpretation of the quantitative data, the chi square method of data analysis was employed.

### **3.7 METHODOLOGICAL PROBLEMS**

A study of this nature is not without its own unique experiences, difficulties and problems. Five sets of methodological problem were identified. These include financial and time constraints, problems of respondents values and relationship and problems of sampling strategies. The others include problem of data collection and data analysis respectively.

The methodological problem of financial problem and time constraint proved to be the most difficult problem that was experienced. Even though a financial grant was obtained from Council for the Development of Economic and Social Research in Africa (CODESRIA) for the thesis writing, the escalated inflation of the logistic input triggered by the fuel crisis in the country, the erratic power supply in the country and the extension of the period needed for data collection and data analysis eroded the fund. Similarly, time was a serious constraint. Work was fitted into evenings and holiday periods to meet the time schedule.

The second set of methodological problems had to do with the respondents values and work relationship with the researcher with a view of increasing the response rate.

In all about three related respondent problems were encountered. First is the suspicion and refusal of many potential respondents to be observed or interviewed. Some of these respondents doubted the genuineness of the purpose of the research based on their past experience with such information always turning back to affect their lives negatively. In fact some respondents doubted the credibility of this interview to change the 'obnoxious' attitude of the contemporary Nigeria police force. At the end most of the respondent subjected themselves to the interview while those who obviously avoided the interview were replaced with the next name on the list as a convenient substitute.

The second problem was the encounter with respondents that demanded money before they subject themselves to interview because they believed they were 'selling' useful information. Most of them subscribed to the interview however after making about 2 to 3 contacts with them. However, unwilling informants or those that provided misleading information or no answer at all' to the questions were controlled. Such bias was controlled by substituting someone else from the next name on the list. The third problem had to do with those who believed the research was conducted in order to redress the maltreatment they received from the operational excesses of the police. Here, some even went to the extent of enumerating the corrupt police officers and the type of treatment they would prefer to call them to order. Such bias were reduced by informing them about the purpose of the research and its limitation to reorganizing police practices.

Related methodological problems of sampling strategies constituted the third problems encountered in the research. With no existing sampling frame, obtaining a representative sample that will allow generalization beyond the research population posed specification problem both in time consideration and financial involvement. For instance, choosing a sampling frame for both the police operational groupings and

respondents required the determination of a preliminary population census. This necessity of conducting a preliminary census before obtaining a representative sample made the duration for fashioning the sampling technique to overshoot the time stipulation by three weeks. This sampling technique although time consuming, has the advantage of increasing the validity of the result by including in its sample frame people with different views and experiences. Similarly, it is very valuable in situations like this study, where a small sample is being taken from a large population without compromising representativeness of the sample. In the final analysis, it reduces sampling error to the barest minimum by ensuring that the sampling frame at every stage is very exhaustive.

The last set of methodological difficulties was encountered at the stage of data collection. Collecting data within the police setting in relation to victims of Police action and violence requires flexibility. Such category of respondents needed in collecting information included the elderly, robbery suspects, muggers, drug addicts, the innocents and under-aged suspects. At times my emotion was caught in cross fire with pathetic innocent victims and police indifference. In fact on two occasions I had to seek extra legal means for securing the released of some minors from police cells. With time however, I learnt to control my emotion in order not to lose the police co-operation necessary for the survey.



## CHAPTER FOUR

# THE LEGAL FRAMEWORK AND ORGANIZATIONAL STRUCTURE OF POLICE ARREST AND INTERROGATION

### 4.1 Introduction

This chapter discusses the legal framework and organizational structure of police arrest and interrogation. It examines the legal provision of arrest and interrogation as it relates to organizational rules and police practices in contemporary Nigeria. In effect the chapter is divided into two sections. The first section examines police arrest practices as it relates to pattern and factors that causes police compliance and/or non compliance with arrest laws. The second section examines police interrogation practices as it relates to pattern and factors of police compliance and non compliance.

### 4.2 Legal Provisions on Arrest and Interrogation

The powers of the police to arrest or interrogate suspects relates directly to their social control functions and the enabling powers granted to them by law. Despite these enabling police powers, it is fundamental that police interference with individual liberty must if they are to be valid be founded upon the rule of law.

Police powers of arrest may be defined as taking into custody a person deemed to have violated the law. This is with a view of bringing the arrestee before a court of competent jurisdiction in order to answer to a criminal charge (Black, 1971). The criminal procedure code broadly classify offences into two categories of offences arrestable with warrant and offences that does not require the production of warrant

before the arrest could be initiated. Arrest with warrant consist of arrestable offences which carry fixed penalty or prison sentence on conviction. Here the statute of law authorizes arrest strictly under court warrant. Arrest may similarly be carried out without warrant. This is with a view to obtaining proof necessary for prosecution. It is also aimed at arresting any person the police finds committing felony, misdemeanour or charges of having committed a simple offence.

In principle, however, an arrest is unlawful when it is executed in a manner that lacks requisite power. In such circumstances the police officer may be liable in tort for illegal restraint irrespective of the ancillary power that justify such arrest. Arrest with or without warrant consist of five elements. First is the seizure of the body either by touching or using of clear words indicating that the person is under compulsion to submit to the process. Second, the reason for the arrest must be intimated to the arrestee either at the time of arrest or as soon as is reasonably practical thereafter. Third, an arrest will be deemed invalid for failure to notify the suspect the power of arrest. Police officers must produce warrant card when not in uniform. Fourth, pretrial bail should be granted to an arrestee on bailable offences within a period of 24 hours but not exceeding 48 hours. Any derogation after the 48 hours rule will amount to false imprisonment. And fifth, warrant offences for indictable offences punishable with imprisonment should not be issued to minors that are below 18 years. Similarly, police may use reasonable force as is reasonable in effecting a lawful arrest (Section 3, Criminal Law of federation of Nigeria, 1990). Although the section is not specific concerning what constitute unreasonable force, use of excessive force is unlawful and punishable criminally.

Police power for interrogation of offenders or witnesses are guided by the Judges' rule in the south and the criminal procedure code in the North. The Judges' rules

are set of rules laid down by Judges of the Queen's Bench Division of the High Court of England. These rules are also applicable in Nigeria for the guidance of police investigation. They consist of five sets of rules which states as follows: First, when a police officer is trying to discover whether or by whom an offence has been committed, he is entitled to question any person, whether suspected or not, from whom he thinks that useful information may be obtained. This is so whether or not the person in question has been taken into custody, so long as he had not been charged with the offence or informed that he may be prosecuted for it.

Second, as soon as a police officer has evidence which would afford reasonable ground for suspecting that a person has committed an offence, he shall caution that person or cause him to be cautioned. Before putting him to any or further questions relating to the offence. The caution shall be in the following terms.

You are not obliged to say anything unless you wish to do so but what you say may be put in writing and given in evidence.

When after having been cautioned, a person is being questioned or elicits to make a statement, a record shall be kept of the time and place at which any such questioning or statement began and ended and of the persons present.

Third, where a person is charged or informed that he may be prosecuted for an offence, he shall be cautioned and before any question are put, the accused should be cautioned in these terms.

I wish to put some questions to you about the offence with which you have been charged. You are not obliged to answer any of these questions, but if you do the questions and answers will be taken down in writing and may be given in evidence".

Fourth and fifth states that all written statements made after caution must be taken down by the offender (if he can write) or by the police officer (if the offender cannot write). Such statement must indicate that it has been made out of his own free will. Furthermore, whenever a police officer writes the statement, he must take down the exact words spoken by the person making the statement without putting any question other than such as may be needed to make the statement coherent, intelligible and relevant to the material matter.

Basically, the laws that guide police interrogation in Nigeria are the cautionary rule (as contained in the judges' rule) and the exclusionary law for searches and seizures. The cautionary rule sets down an authoritative lists of warning that the police officer must give to the suspect prior to questioning. This warning must be given if the response to their questions are to be admissible in court. This law therefore constitute efforts to simplify the determination of the voluntariness of the suspects statement by defining police responsibilities in specific terms. Unless the designated warnings have been given, a suspect's statement is not voluntary and shall not be introduced into evidence by a police prosecutor (Lawrence Baun, 1979). Another law which guides police interrogation and evidential guidelines is the exclusionary law for searches and seizures. The exclusionary law holds that all illegally seized evidences should not be used in criminal proceedings. These laws thus establish a mechanism for the enforcement of police compliance with the laws of interrogation.

#### **4.3 Organizational Rules and Police Arrest Practices**

The evaluation of police services is related to the processes through which organizational arrangement leads to specific goals and services. For the police these

arrangements include patrol officers which respond to victimization call in order to effect arrest and subsequently interrogate them for evidence. This is with a view of decreasing the public perception of fear of crime and/or victimization in their neighbourhood.

An observation of police divisional headquarters in the areas of research show that the police combine law enforcement functions with symbolic reassurances in order to maintain and enhance their legitimacy in the community. Bercal (1970) and Reiss (1972) provide evidence that police spend roughly 80 percent of their time in symbolic capacity. Thus citizen contacts with the police usually take place in a setting that is not enforcement oriented. When police fail to provide symbolic support in these circumstances their ability to function effectively in their instrumental law enforcement role may be severely impaired. Legitimacy may be withdrawn from one police role because of failure to fulfil the other (Decker et al, 1979). This erosion of legitimacy may result in serious consequences for both the community and the police:

Police depend heavily on citizen cooperation in reporting and solving crime. Black (1970) found that 76 percent of police responses in Boston, Chicago and Washington DC. were initiated by phone call. Although these figure is lower in Nigeria societies due to the inadequacy of telecommunication networks and police negative attitude to distress call through phone calls, this indicates the importance of citizen inputs. Exemplifying the realization of the importance of citizen co-production functions is the following statement made by the National Institutes of Law enforcement and criminal justice.

In study after study, the picture that emerges shows the citizen - both individually and collectively - as the linchpin of the crime apparatus. Unless

citizen report crimes, promptly, unless they come forward with information to help police make arrests, unless they testify in court, and unless they actively support crime prevention efforts, the criminal justice system operates under severe handicaps.

(Community Crime Prevention Research Brief, 1977)

In civilian initiated encounters, somewhat less than half of the encounter arising from public complaints - either through telephone or direct reporting at the police station - have to do with crime. This is because criminal incidences are so constituted situationally as to preclude arrest in the majority of the cases due to absence of suspect by the time police arrive at the scene. The crime analysis in this study shows that in 45 percent of the felon encounters and 40 percent of the misdemeanour situation the only major citizen participant is a complainant. It is only in 5 percent of the citizen initiated encounter that a suspect is present when the police arrived.

Patrol officers occasionally initiated encounters on their own usually in response to high crime rate. During this three city observation study, it was observed that more than half of police arrest recorded came from police initiated encounters. This may be due to the police habit of charging "every person" found in their "black spots" during such raids to court. The reason for such arrest usually ranges from offences of "belonging to gang of criminals, possession of stolen goods and/or commission of telescopic crimes (real or imagined).

It should be noted that although 3675 encounters were recorded in this study (i.e., 2500 incidents from patrol officers and 1175 from counter duty officials), only 765 arrests (or 20.8%) were recorded in this observation. That is, 347 arrests from citizen initiated arrests and 418 arrests from police initiated arrests. This attrition results from the general absence of arrest in normal policing meliu. Similarly, certain offence related

arrests were excluded because they entail factors that could invisibly distort the analysis. These categories include non incidented arrests that were settled peacefully out of police involvement by the complainant and suspect. (5.0%), arrests not processed by police for lack of criminal content on charge (30.5%) and traffic offences, (20.7%). These sample also exclude invisible arrests initiated by corporate bodies, and workers agitation that are usually devoid of police complainant suspect interaction. Finally this sample exclude arrest of juveniles below 18 years of age. This analysis thus pertain only to arrest encounters with adult suspects. The arrest rate by nature of evidence in citizen initiated encounters based on observational data is presented in Table 4.1 below.

**Table 4.1 Arrest Rate and Nature of Evidence in Citizen Initiated Encounters**

Nature of Evidence	Nature of Crime related Arrest			
	Felony Freq. (%)	Misdemeanour Freq. (%)	Simple Offence Freq. (%)	Total Freq. (%)
Citizen complaint	114 (73.1)	33 (23.9)	13 (24.5)	160 (46.1)
Police witness offence	13 (8.3)	79 (57.2)	29 (54.7)	121 (34.9)
Clue on scene of crime	15 (9.6)	19 (13.8)	2 (3.8)	36 (10.4)
Other evidences	10 (6.4)	7 (5.1)	9 (17.0)	26 (7.5)
No evidence	4 (2.6)	0 (-)	0 (-)	4 (1.1)
<b>Total</b>	<b>156 (100.0)</b>	<b>138 (100.0)</b>	<b>53 (100.0)</b>	<b>347 (100.0)</b>

Table 4.1 show the arrest rate and nature of evidence in citizen initiated encounters. The data show that many factors other than seriousness of offence affects the probability of arrest. The major forms of evidence is through citizen complaints when police confront the suspect in the presence of the complainant. Other forms of evidence is when police witness offence as clue on body of the suspect, and when police arrive on time to witness physical clues on the premises. Out of the 347 arrests that were

recorded in citizen initiated encounters, 156 are felonious, 138 misdemeanour and 53 of the arrests were for simple offences

This observational findings reveals that in felony situation arrest is highest when citizens make complaint to the police and lowest when police witness the actual commission of the offence and/or found clues on the scene of the crime. Similarly, arrest is highest in misdemeanour situation when police witness the offence and lowest when citizen make the complaints to the police. Simple offences also show similar patterns of arrest as observed in misdemeanour arrests.

The implication of this finding in terms of police compliance with the laws of arrest show that there is an inherent contradiction in the definition of offence types and method of police arrest. A high felony offence arrest should have been due to the consequences of police witnessing the commission of the offence or due to the establishment of reasonable doubt of the suspect necessary for the arrest. Similarly, a high misdemeanour offence arrest should be due to the consequences of citizen's sworn complaints to the offence. This contradiction may therefore be inherent in current police arrest practices without regard to due process of law.

A similar evaluation is conducted using the survey method to investigate the relationship between police arrest and nature of the offence. Offences may be classified as warrant offence or non warrant offence. Warrant offences are offences which the law requires must be carried out with a formal warrant or a sworn complaint before they may arrest a warrant offence suspect in the field. On the other hand in non warrant offences the police need only have a "reasonable doubt" to believe that the suspect is guilty or based on a citizens complaint. Table 4.2 below presents the relationship between police behaviours and nature of offence in the 418 arrests that were recorded in police initiated encounters in the field setting.



**Table 4.2 Relationship between Police Arrest Behaviour and Nature of Offence in Police Initiated Encounters**

Police Arrest Behaviour	Nature of Offence					
	Warrant Offence		Non Warrant Offence		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Friendly	54	36.7	40	14.7	94	22.5
Impersonal	30	20.4	72	26.5	102	24.4
Hostile	63	42.9	159	58.8	222	53.1
Total	147	100.0	271	100.0	418	100.0

Table 4.2 shows patrol officers behaviour in arresting warrant and non warrant offences. The data show variation in police behaviour towards arrest different from the impersonality posture in which police are expected to comport themselves professionally. Apart from the impersonal attitude, the police exhibit friendly and hostile attitudes to arrest. Out of the 418 arrests that were encountered in police initiated arrest the police exhibited more hostile attitude than friendly attitude in warrant offences. Here the hostile arrest rate is about double the impersonality arrest rate. On the other hand, the arrest rate for non warrant offences is about two thirds on the hostility dimension. A professional legal conduct on police behaviour during arrest cannot account for the differentials in arrest practices. However the arrest rate for warrant offences as relatively lower than for non warrant offences. However, the seemingly high rate of equal hostility between offences that are arrestable by warrant and those that are not implies that the police do not discriminate between offence categories.

As previously discussed above, the observational data show that the 3675 encounters made in this study resulted in a total of 765 arrest. 347 arrests of these were

recorded for civilian initiated encounters in which a complainant was present. On the other hand, 418 arrests were recorded for the police initiated encounters in which the complainant status was absent in the encounter. Out of these arrest, the presence of a suspect was only recorded in 9 arrests. The observational data further show that out of the 418 arrests recorded in police initiated encounters, 271 of these arrests were felons while 147 arrests were misdemeanour in nature. Having compared arrest rates in both civilian initiated and police initiated encounters, there is need to evaluate the pattern of arrest in the varying research locations within the context of the varying legal guidelines for felonious and misdemeanour offences. The best evidence available to the police in felony situation is citizens testimony or a suspicion of "reasonable doubt" that the suspect is guilty. On the other hand, in misdemeanour offences the police generally must observe the offence or acquire a sworn complaint before they may arrest a misdemeanour suspect in the field. The relationship between police arrests and nature of offences in the three city location of study by observational study is presented below in Table. 4.3.

**Table 4.3 The Nature of Offence and Arrest Rate in Research Location**

Research location of	Nature of Offence							
	Felony		Misdemeanour		Simple Offence		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)	Freq.	(%)
Maiduguri	105	(24.6)	70	(24.6)	27	(50.9)	202	(26.4)
Ibadan	173	(40.5)	117	(41.0)	15	(28.4)	305	(39.9)
Enugu	149	(34.9)	98	(34.4)	11	(20.7)	258	(33.7)
Total	427	(100.0)	285	(100.00)	53	(100.0)	765	(100.0)

Table 4.3 shows the nature of offence and the arrest rate in the three city observational study. The data show variation on both the nature of offence and the arrest rate within the varying geographical areas of study. Out of the 765 arrests that was recorded in the study, Ibadan recorded the highest rate of arrest, followed by Enugu where the arrest rate is comparatively lower. Maiduguri recorded the lowest arrest rate with only about two thirds of the arrest rate in Ibadan. This differential arrest rate is also related to the nature of offence. The observational data similarly demonstrate that more felonious offences and misdemeanour were recorded in Ibadan than in Enugu and Maiduguri respectively. However, the highest rate of simple offences although minimal in comparison to the felony and misdemeanour offences was recorded in Maiduguri.

The above findings suggest two possible explanation to the differential rate of arrest in the different research locations. Primarily, the high rate of felony and misdemeanour offences in Ibadan may suggest that both the police and the communities are active participants in the production of community security and safety. Here the high rate of arrest may be attributed to the prompt reporting of crime to the police by the citizen and a corresponding high response time to distress call by the police in these vicinity. On the other hand, the high arrest rate may be due aggressive policing policy in these areas. Here the police enforce arrest in all circumstances of infraction of the law, real or imagined. If this second option is the situation in Ibadan, it would be expected that the police public relationship would be less cordial in Ibadan than in Enugu and Maiduguri.

Data from survey interview and in-depth interview confirmed the high arrest rate but related if to two factors. These include the cultural disrespect of law enforcement officers by the average Ibadan indigene and the attendant police public hostility in the

area. Therefore such aggressive police arrest practices without due process to rule of law may be related to poor police public relations. This forceful method of arrest is displayed as exceptional manifestation of the exceptional privileges of coercion. Often people comment that a community has the kind of police it wants, as if the community outlines police function by a *de facto* legislative process of some kind. (Slatter, 1970). But this view is overly vague. Such police malpractices of non compliance with laws of arrest may be due to the community inability to seek the official redress of grievances from such illegalities. Most police patrol officers interviewed, however, view policing as an act of war between the chosen police officers and the bloody civilians. Ahire (1990, 47) aptly suggested that this situation is due to the preoccupation of the police in the suppression of dissents rather than an act of attaining public peace. Consequently it may be attributed that the genesis of police rule violation may be located in the dichotomous system of justice in the country and the enabling statutes that guide it.

Similarly, the observational data from the three city location of study show that police enforce its arrest laws on selective basis. A profile of the total arrests show that property offences are pursued more vigorously with arrest than personal and moral offences. A breakdown of the 765 arrests observed in this study show that 173 arrests were recorded in burglary in dwelling houses, 132 arrests in unlawful possession and 106 arrests in belonging to gang of criminals. Also incidented are 72 arrests in breach of the peace, 83 arrests in forgery and cheating, 47 arrests in grievous hurt and 99 arrests in assault. Other include 22 arrests in perjury, 11 arrests in corruption, 5 arrests in narcotics and 12 arrests in prostitution.

#### 4.4 Factors Related to Police Compliance/Non Compliance with Laws of Arrest

Observational data from the field study show that police patrol officers exhibit choice over the use of legal powers they possess in enforcing laws of arrest. On one hand they do not use these powers as manifested by their option not to arrest felony suspects against whom testimonial evidence is present or in misdemeanour situations when reasonable doubt to arrest a suspect is present. On the other hand, instances where police use excessive force over and above that which is statutorily prescribed characterize many police initiated arrest encounters. These findings therefore suggest that an evidential legal perspective alone cannot account for the differentials in police rule compliance. This observation indicates that arrest practices in both felony and misdemeanour situations for compassionate or vindictive preferences reflect the factor of police discretionary powers. Using the observation method, the study attempts to examine the individual police characteristics that influence arrest. The relationship between police arrest and police discretions is presented below in Table 4.4.

**Table 4.4 Police Attitude and Method of Arrest.**

Personal Attitude of	Method of Police Arrest					
	Lawful Arrest		Unlawful Arrest		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Prejudice	29	(14.0)	110	(37.3)	139	(27.9)
Character of Offender	17	(8.2)	85	(29.2)	102	(20.5)
Community Value	20	(9.7)	8	(2.7)	28	(5.6)
Seriousness of Offence	87	(42.0)	35	(12.0)	122	(24.5)
Circumstances of Action	54	(26.1)	53	(18.3)	107	(21.5)
Total	207	(100.0)	291	(100.0)	498	(100.0)

Missing number = 2 (Missing cases represent non response)

Table 4.4 shows the relationship between method of police arrest and the personal attributes of the individual patrol officers. The data show that personal attributes of patrol officers vary with police arrest method. Out of 498 patrol officers that were observed, the exercise of police discretionary powers resulted in more unlawful arrests than lawful arrests. The term unlawful arrest as used in this study refers to arrest in which police officers use excessive force or other forms of physical restraint than is necessary to effect the particular arrest. Out of the total unlawful arrests observed, police prejudice accounted for more than one third of the unlawful arrest. Police prejudice therefore may be viewed as one of the factors responsible for police non compliance with laws of arrest.

Another factor responsible for police noncompliance with laws of arrest that emerged from this observational study is the character of the offender towards the police during the arrest. Here, character of the offender include its characteristics of age, demeanor, tribe, religious affiliation, sex, ethnic bias, political culture and peer group. The observational data show that the character of the offender, particularly, his respect to the police authority influences the nature of arrest. Suspects who refuse to defer police authority by being antagonistic or showing resentment through verbal or physical conflicts with the police are subjected to a great extent to unlawful arrest. This pattern similarly persist in felony and misdemeanour situations when they are examined separately. On the other hand, suspects that show civil respect to police authority are treated fairly and on some occasion enjoy police clemency from arrest even when probable cause for arrest exist. In this sense, the police may be said to enforce their authority more severely than they enforce the laws of arrest. The observational data also show that the factors of seriousness of the offence and the circumstances under

which the arrest took place conditions patrol officers to compliance with laws of arrest. This is because of their high visibility to the police organization. The variable of community characteristic however had very little influence on arrest outcomes. This may be due to the shaping of police behaviours to organizational objectives. These organizational objectives however pay little or no attention to the expression of community preferences.

The factor of income status of suspect is also evaluated against police arrest behaviour. The socioeconomic status of respondents defined in terms of their income differentials is believed to influence police arrest behaviour to a great extent. The observational study of income status of respondents and police arrest behaviour is presented below in Table 4.5.

**Table 4.5 Police Arrest Behaviour and Income Status of Respondent**

Income Status of	Method of Police Arrest					
	Lawful Arrest		Unlawful Arrest		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Low Income	44	(23.2)	156	(51.1)	200	(20.4)
Intermediate Income	56	(29.5)	121	(39.7)	177	(35.8)
High Income	90	(47.3)	28	(9.2)	118	(23.8)
Total	190	(100.0)	305	(100.0)	495	(100.0)

Missing number = 5

Table 4.5 shows the relationship between police arrest behaviour and income status of respondents. The data show that police method of arrest vary with the income status of the respondent. Unlawful arrest methods are more predominant with

respondents with low income status while lawful arrests prevailed in virtually all encounters involving respondents with high income status. The intermediate income group to a large extent were treated with unlawful arrest procedures as respondents with low income status.

The above finding suggest that police arrest is fraught with discriminatory bias to suspects with low income status. For this study, respondents with income earnings of below ₦5,000:00 to ₦10,000:00 per month are as classified as having low income status while respondents earning above ₦10,000:00 but below ₦20,000:00 are classified as intermediate income status. Similarly, respondents earning ₦20,000:00 and above per month are classified as high income status. Suspects of low income status are arrested for all instances of suspicions, while suspects with high income status are precluded from police suspicion and arrest.

The above observation is supported by information from in-depth interview with community opinion leaders. Information from in-depth interview indicate that respondents with low income status such as petty traders, mechanic apprentices and the unemployed youths are more susceptible to police rule violation through unlawful arrest than other occupational categories. This picture is more glaring in poor semi urban neighbourhood and least in affluent low density areas. This finding is giving credence by the sociological theory of law which predicts that police work will vary with its location and direction in social space. (Black 1976). This means that how the police handle a particular case will depend upon the social characteristics of the suspect.



#### 4.5 Organizational Arrangements and Police Interrogation Practices.

The police organization operational prerequisite for further investigation by the detective department requires crime reports from patrol officers on crime incidents in which a suspect or none is available at the field setting. Interrogation or questioning of such suspects or witnesses from the scene of crime constitute part of police investigations. This investigation process is aimed at elucidating accurate and complete facts of the case under investigation. The objective is for the police investigating officers to master the facts of the case such that he can accurately obtain a written statement relating the commission of the offence to particular offenders. This is achieved by interrogating all parties. According to Membere (1982), the objective of the investigating police officer are two fold. First is to ensure that all important points of the fact of the case are investigated. Second, is that the investigator must at all times ensure that the truth is elicited from the witness statement. Evidences of a witness shall be confined only to what is actually seen, heard or experienced such that an inference could be drawn from the investigation for court opinion.

The Judges' rule which provides the enabling power for police investigation states that in endeavouring to find out the author of a crime, there is no objection to his putting questions in respect thereof to any persons whom he thinks useful information can be obtained. Although not provided by law, efforts of investigating police officers observed at field setting tend to be directed towards obtaining an admission of guilt from the offender. This is a negation of the laws of interrogation which allows only information that will enable the officer pursue the inquiry to logical conclusion. Similarly, most investigating police officers resort to torture, bullying or using others extra judicial measures in coercing admission of guilt from the offender. The irony of

the situation is that the police organization from which the officers take a cue does not frown at such non compliance with laws of interrogation.

The next organizational requirement after interrogation is to obtain a written statement from the suspect necessary for conveying all information to the Senior Police Officer as an aid in the determination of charges to prefer or information to incorporate in the First Information Report (FIR). Written statements similarly facilitates examination of witnesses and the justification of admissibility of police action as evidence. This is true in ascertaining if caution were administered before the statement of the accused person(s) was obtained. Similarly, Police organizational requirement provides that the police divisional headquarters should forward all cases involving homicide, armed robbery and other felonious offences occasioning death to the state criminal investigation department for further investigation.

A cursory observation of police investigation activities show that it is not all crime incidents and arrests made by patrol officers results in interrogation. Although a total number of 3675 encounters and 765 arrests were observed in this study, only 125 interrogations were recorded. Fifty-five (55) interrogations was recorded in Ibadan, 38 interrogations in Enugu and 32 interrogations in Maiduguri respectively. This attrition results from the rigorous exclusion of all criminal cases that does not carry fixed penalty or prison sentence on conviction. Other offences excluded from police interrogation include reported cases in which suspect admits to the guilt of commission of the offence and offences involving minors of below 18 years of age. Similarly, offences involving witness that make confessional statements or disclosure incriminating other persons was excluded.

Broadly police interrogation could be classified into two categories of interrogation of witnesses without caution and interrogation of accused person with administration of cautionary warning prior to interrogation. Interrogations involving caution with proven guilt of witnesses as accomplice are usually aggressively processed by the police. Although legality of police interrogation involves compliance with set of judicial decisions that defines the standard of police conduct under the law, most police interrogation borders on illegality. These laws, particularly those restraining officers from coercing information from suspects are abused. It is not uncommon to see suspects limping out from police interrogation room, draped with bruises and blood stained clothes. The field observation of nature of police interrogation in the various location of study is presented in Table 4.6 below.

**Table 4.6 Nature of Police Interrogation in Location of Study**

Nature of Police Interrogation.	Location of Study			
	Maiduguri Freq. (%)	Ibadan Freq. (%)	Enugu Freq. (%)	Total Freq. (%)
Dehumanizing.	13 (40.6)	8 (14.5)	7 (18.4)	28 (22.4)
Not guided by Law	3 (9.4)	22 (40.1)	12 (31.6)	37 (29.6)
Statement Coerced.	11 (34.4)	13 (23.6)	11 (30.0)	35 (28.0)
Statement falsified	5 (15.6)	12 (21.8)	8 (21.0)	25 (20.0)
Total	32 (100.0)	55 (100.0)	38 (100.0)	125 (100.0)

Table 4.6 shows the nature of police interrogation in the three city location of study, observational data show variation in the nature of police interrogation. Out of 125 interrogations that were recorded in the study, Ibadan recorded the highest rate with 55

interrogations followed by Enugu with 38 interrogations. Maiduguri recorded the lowest interrogation rate with 32 interrogations. This is only about half of the rate recorded in Ibadan. Similarly, the characterization of the nature of police interrogation varies within the location of study. In Maiduguri, the interrogation processes are viewed as brutal and dehumanization with statements coerced out from suspects through torture. In Ibadan however, observation shows that the process is not guided by any known law. In Enugu, the interrogation process is similarly characterized as not guided by any known law with statement coerced from suspects. In totality police interrogation within these research locations are characterised as not guided by any known laws with statements coerced from suspects. Other factors that were highlighted are falsification of the statement by the police and the brutalization and dehumanization of suspects in the process.

Data from focus group discussion supports the observational findings. Discussants with experience of police operations were of the opinion that police interrogation processes is characterized by brutalization and dehumanization. Similarly, they are of the opinion that police do not comply with the judicial laws of interrogation, particularly those dealing with the offenders rights and obtaining voluntary statements from suspects during interrogation. Furthermore, they are of the opinion that the greatest barrier to police compliance with laws of interrogation is the unwillingness of police organization to check these violations. Findings from in-depth interview also corroborate these observational data. The public opinion leaders are of the view that the public are unaware of these judicial restrictions on police interrogation that checks police behaviours. Their objection to the interrogation process is on its dehumanization aspect and not on police violation of these laws. Furthermore, observation of police investigation officers indicate that most police officers do not comply with these laws.

On the other hand, they will clearly prefer not to comply with these judicial restrictions on interrogation. Their opposition is on the ground that it frustrates investigation practices. The potential sanctions for disobedience seems to have very little effect on their behaviour. This is because the police organization which the police officer looks up for cue indicate clear preference for rule violation that endanger conviction over rule adherence that prevents dehumanization of suspects through interrogation.

The factor of income status of the suspect is also evaluated against method of police interrogation. The socioeconomic status of suspects defined in terms of their income differentials is believed to influence police interrogation method. For this study respondents earning below ₦5,000:00 to ₦10,000:00 per month is classified as low income status, while respondents earning above ₦10,000:00 but below ₦20,000:00 are classified as intermediate income status. On the other hand, respondents earning ₦20,000:00 and above per month are classified as high income status. The observational study of income status of suspect and method of police interrogation is presented on Table 4.7 below.

**Table 4.7 Method of Police Interrogation and Income Status of Suspect.**

Income Status of	Method of Police Interrogation		
	Voluntary Freq. (%)	Coerced Freq. (%)	Total Freq. (%)
Low income	11 (25.0)	45 (55.6)	56 (44.8)
Intermediate income	18 (40.9)	27 (33.3)	45 (36.0)
High Income	15 (34.1)	9 (11.1)	24 (19.2)
Total	44 (100.0)	81 (100.0)	125 (100.0)

Table 4.7 shows the relationship between method of police interrogation and income status of suspects. The data show that manner of police interrogation vary with the income status of respondent. Coercion of suspects in interrogation for extraction of information are more predominant with suspects with low income status, while interrogation of voluntary nature prevailed in virtually all interrogation involving suspects of high income status. The intermediate income group to a large extent were treated with coercion as suspects with low income status.

The above finding suggest that manner of police interrogation is fraught with discriminatory bias to suspects with low income status. The data suggest that police non compliance with laws of interrogation is consistent with social deprivation.

The above observation is supported by information from focus group discussion. Discussants with experience of police operations claim that the vulnerability of respondents with low income status to police forceful interrogation method is because they lack the incentive of challenging questionable police conduct in court. Furthermore, this relationship is further demonstrated by the following case study from field observation.

1. Case No ENG. COL. 247/99/67. A complaint of criminal conspiracy and burglary was made by the Managing Director of a Business centre outfit against his three employee. The facts of the issue is that the manager from the onset has this problem of trust. Routinely, he keeps the keys to the locks of the office and lets his workers in or out after which he unlock or lock the offices on regular basis. On the fateful day, it was reported that thieves broke into the shop at night and carted off the computer, copiers and generating set. Even though police investigation revealed that there was no breaking and entry, rather the keys were

neatly unlocked, the manager maintained that he suspected his workers. These workers were detained for about five days and tortured while the manager who is supposed to be the primary suspect was only questioned and released on self recognition. Even though the facts of the case were not corroborated by other evidences, the police prosecuted these poor workers for criminal conspiracy and theft. In fact the workers were detained at the instance of the manager who demanded that they be kept in police custody with the objective of getting them to crack under the stress of police interrogation and admit guilt. Legally these poor offender were detained in breach of the judges rules.

2. Case No. MDG. A07/99/36. On a very busy dual carriage highway in metropolitan area BRS/APR/D930/10/99, the police were manning static road block; an enforcement contraption for police "stop and search" procedure on a busy working day. Vehicles of different makes, sizes and shapes hustle pass the road block as commuters and car owners alike race to their different destination. At the road block it is visibly noticed that only down-bitten rickety cars, taxi cabs, were flagged to stop and be searched. One of the officers interviewed explained their action by insisting that "once you get to know an area you can always detect a villain from miles away and you will always stop him to see what he is about". The truth of the matter is that the police officers at the road block were afraid of harassing the polished and elegantly dressed aristocratic bureaucrats with high socio-economic status because of fear of litigation or being reported to their superiors. Rather, they picked their willing victims from the shallow dressed struggling workers with low socio-economic status for extortion without fear of being litigated.

3. Another case worth mentioning is case No. IBD 195/99/120 recorded at R2 jurisdictional area of the research location. A certain influential personality picked up a teenage girl in the late hours of the evening in his elegant Honda Accord car. Circumstantial evidences deduced from police interrogation of the girl showed that this influential personality not only made amorous advances to the little girl in question, but sexually assaulted her despite her refusal to oblige to his lecherous advances. In protest, the girl alighting from the car banged the door furiously in provocation smashing one of the car door glass window. The outcome of this incident was that the girl was detained and charged to court for wilful damage and soliciting because of her low socio-economic status. But by fact of rule of law, this personality could have been arraigned for offences ranging from making gestures intended to insult womanhood (CPC, Sec. 400), gross indecency on person (CPC, Sec. 285), procurator of a minor girl (CPC, Sec. 275) or use of criminal force on a woman with intent to outrage her modesty(CPC, Sec. 268). This is a further demonstration that the more powerful and respectable the victim, the more likely it is that his interest will be reflected in actions taken by the police. Definitely, the differential treatment could not be justified either on the grounds of seriousness of the offence, or of evidential sufficiency of securing conviction on prosecution.

4. Another illustration of differential treatment of police service to the community is the case No. ENS-D326/99/43 recorded jurisdictional area GRA/RBRD. Three youths working as farmhands to a farm belonging to one army general and managed by one of his daughters were suspected in a case involving the loss of



two (2) packets of zinc nails. The manager in a bid to extract information from these boys stripped them and used horsewhip in flogging them for several hours. In the process of this ordeal, one of the boys died from the sub-human treatment and was hurriedly buried in a shallow grave to conceal the offence. When this incidence was reported to the police they acted swiftly and arrested the manager but when the influence of the family high socio-economic status was thrown against the case a different story was concocted. The police in a bid to shield the General from blame constructed a frame-up that the boys were armed robbers and one was killed while trying to rob the farm.

These examples give credence to the fact that police propensity to arrest and their prosecutorial decisions are influenced by the income status of the arrestee.

Another factor that is evaluated against method of police interrogation is the respondents educational attainment. For the purpose of this study suspects with no formal education, primary school certificate and/or Koranic education are ranked as low educational attainment. Suspects with middle educational attainment are suspects that possess school certificate, national diploma or trade certificates. On the other hand, suspects with high educational attainment are persons in managerial capacity with university education or its equivalent. Within the field setting this educational computations were based on the literacy level of the suspects. The observational study of educational attainment and method of police interrogation is presented in Table 4.8 below.

**Table 4.8 Method of Police Interrogation and Educational Attainment of Suspects**

Educational attainment of:	Method of Police Interrogation		
	Voluntary Freq. (%)	Coerced Freq. (%)	Total Freq. (%)
Low educational attainment	9 (25.9)	52 (57.8)	61 (48.8)
Middle educational attainment	15 (42.9)	33 (36.7)	48 (38.4)
High educational attainment	11 (31.4)	5 (5.5)	16 (12.8)
Total	35 (100.0)	90 (100.0)	125 (100.0)

Table 4.8 shows the relationship between method of police interrogation and the educational attainment of the suspects. The data show that the manner of police interrogation vary with the educational attainment of the suspects. Suspects with low educational attainment to a very large extent are interrogated by coercion and brutalization, while suspects with high educational attainment were interrogated using voluntary method. Similarly, suspects with middle educational attainment were given similar treatment of brutalization and coercion similar to those of suspects with low educational attainment.

The above findings show that there is variation in method of police interrogation of suspects with different educational attainment. However, this simplistic generalization may be defective in two principal ways. First, police method of interrogation may not be attributed to one particular police investigation officer. It must be recognised that police officers are not equally likely to comply with the laws of interrogation. Indeed some may evoke different standard of behaviour. Therefore since this bias against suspects with low educational status is latent in most police

interrogation observed, its occurrence may be attributed to the police elitist behaviour of cop culturism. Second, the low educational background of most police officers create the attraction of treading in familiar terrain. They therefore tend to violate the laws of interrogation with suspects of low education background because they lack the knowledge of challenging questionable police conduct. This observation is supported by information from focus group discussion. Here the discussants were of the view that there are separate laws for the rich and the poor in the country.

With regards to the independent variable of age of offender, observational data show that two thirds of the suspects interrogated were within the age bracket of 19-30 years. The implication of this finding is two fold. First, the sizeable representation of persons between 19-30 years in the data suggest that these group make more regular contact with the police than other age bracket. Second, their representation suggest that variation in activity pattern rather than age profile accounts for their involvement with police interrogation.

Similarly, with regards to the variable of offenders sex, observational data show that there is a problem of gender disproportionality in police interrogation method. Out of the 125 interrogation that were recorded only 5 females were interrogated voluntarily. This observation is also supported by information from focus group discussion and in depth interview of serving and retired police officers. This finding therefore poses three problems. First, it is doubtful if this proportion truly reflect the pattern of female criminality. Available evidence shows female criminality is down played by the police because of their sexuality which poses legal limitations for police enforcement practices. One example of this legal limitation is the law which stipulated that only a female police officer is legally empowered to search a female subject for evidences necessary to prove

guilt. However, with the 3 percent work force of women police officers that are mostly assigned to force administrative duties women criminality will continue to be under scored. Second the protection of female gender, particularly by the Islamic religion precludes most female offenders from criminal prosecution. The religious protection of women offenders from police action is bound to be on the increase, particularly with the adoption of the sharia legal system in some northern states of the country. Third, psychological consideration and compassionate disposition of the police towards womanhood, tend to filter off females from police interrogation.

The tendency to treat females lightly is also discernable in two dimensions. First is the nature of the offence. Property offences like criminal force, criminal appropriation, stealing, armed robbery and assault which constitute about three quarters of the cases interrogated are predominantly a masculine territory. Most female offenders there were questioned in this study were arrested for the offences of prostitution, personal immorality or child abuse. These type of offences are self determinate and do not require the rigours of police interrogation to prove guilt. Second is the legal structural constraint on police detention and interrogation. The laws of detention imposes sexual discrimination in police detention policy. Most of the police divisional headquarters where the study was carried out were functionally designed with two functional detention cells that are usually filled with male detainees. This situation confines the would be female offender to "behind the counter" where they share the little space with counter duty police officer.

In Summary, the major findings of this chapter may be restated as empirical generalization in order to provide a manageable profile of police compliance and/or non compliance with laws of arrest and interrogation. On one hand, this compliance gives

policing a democratic character of uniform standard of justice. On the other hand, non compliance perpetuate disparity in the quality of service citizens obtain from the police by jeopardizing uniformity in the application of the law.

This three city observational study show that more than half of the incidents and arrests recorded in this study came from police initiated encounters. In this sense the criminal process is invoked and mobilized through a proactive process devoid of citizen complaints. Here the state exhibit formal authority to bring legal actions on its own initiative. A major portion of the responsibilities for criminal law enforcement is thus kept out of the citizens influence. The implication of this finding is that the deterrence function of the criminal process to a large extent is invested with the ruling class as an instrument of state powers. Therefore the police operate in this circumstance as the master and not a moral servant of the citizenry. In this circumstances therefore police arrests are not mobilized through reactive processes depending on citizens claimants in the pursuit of their interests. Accordingly, the sociological theory of law predicts that the quality of law will be greater when a higher status person complains against a lower status person than when a complaint is made in the opposite direction (Black, 1976). This implies that an upward crime will attract police arrest than a downward offence.

Although the legal conception of arrest contrasts sharply with the observation in the field setting arrest practices may reflect compliance and/or non compliance depending on a number of factors. Police compliance with laws of arrest was demonstrated in cases involving seriousness of the offence and in citizen initiated arrests where the visibility to the police organization as represented by the status of the complainant is high. Similarly, based on the relative autonomy of the police non compliance with law of arrest may be related to the following factors. First, police non

compliance with laws of arrest reflect the factor of police prejudice particularly in circumstances of low visibility to police organization. Observational data show that police prejudice influences hostile arrests. When the officer evokes different standard of behaviour different from the organizational norm. The police may choose to be vindictive by using their arrest powers far more often than the written law would seemingly allow. This illegality of non compliance with laws of arrest is bound to be on the increase unless the citizens responds officially to such police rule violation.

Second, is the character of the offender, particularly his respect for the police authority. Observational data show that subjects that show civil respect to police authority either through bribery or courtesy are treated fairly and on occasion enjoy police clemency from arrest even when probable cause for arrest exists. On the other hand, subjects that challenge police authority are subjected to severe treatment and detention for charges ranging from 'obstructing a police officer from performance of lawful duty' to assaulting a police officer while in performance of his rightful duty. Here the police may be said to be enforcing their authority more severely than they enforce the laws of arrest.

Third is the socioeconomic status of the suspect defined by his income status. Police arrest is fraught with discriminatory bias for suspects with low income status than those with high income status. This picture is more glaring in poor semi urban neighbourhoods usually designated as criminal "black spots". A terminology in police vocabulary which means the place that criminals live. This relationship is supported by the sociological theory of law which predicts that police work will vary with its location and direction in social space (Black, 1976). This means that how the police handle a particular case will depend on the socioeconomic characteristic of the suspect.

With regards to police interrogation sets of judicial decisions defines the standard of police conduct under the law that are necessary for police compliance with laws of interrogation. The organizational requirement for police compliance with laws of interrogation involves three factors. These include not obtaining an admission of guilt through interrogation and conducting interrogation in a voluntary manner devoid of coercion. The other factor is the administration of cautionary warnings to offenders before interrogation. These laws constitute effort to simplify the determination of voluntariness of suspects statement by defining police responsibilities in specific terms unless the designated warnings have been given, a suspects statement is not voluntary and shall not be introduced into evidence by a police prosecutor.

## CHAPTER FIVE

# LEGAL AWARENESS AND COMPLIANCE WITH JUDICIAL PROCEDURES

### 5.1 Introduction

Within the history of contemporary policing in Nigeria, there has been growing trend in the volume of civil litigation, procedural court rulings against the police for poor prosecutorial ability and intervention by appellate courts on police practices. Such development has allowed themes such as police rule compliance and conduct of the police under the law to be recognized fully in research fields. Government concerns over these policing problems is demonstrated by the numerous public service review commissions which arose in response to public and corporate concerns on the nature and character of policing in the country. The facts which continue to emerge are often startling.

The reports of the Udoji Public Service Review Commission (1974) stated that in the exercise of powers of arrest and interrogation, the police has been much criticised for allegation of arbitrariness in exercising power, corruption and perversion of justice. On the one hand the commission attributed this state of affair to limited effect of legal training and the unawareness of the procedural laws of arrest and interrogation. They recommended training created awareness of these laws through the introduction of refresher courses and promotional courses on law based content of the course. On the other hand, the Political Bureau Report (March 1987) blamed the police for lack of adequate cooperation for the police by members of the public. The Bureau similarly



recommended improving the quality of police training programme so as to emphasize the policeman's knowledge about the Nigeria society and his responsibility to it. Similarly, the reports of the Vision 2010 (1997) and M. D. Yusuf Panel of Inquiry on Reorganization and Reform of the Nigeria Police Force (1998) indicated absence of community preferences and public satisfaction on police service delivery.

This chapter is concerned with the extent of police rule compliance to the laws of arrest and interrogation. The first section assesses the extent of awareness of police officers to the procedural criminal law that defines the standards of police conduct. It attempts to explain the research objective on the extent of awareness of police officers to legal requirements of arrest and interrogation. The general supposition that is adopted in this study is that the awareness of the laws of arrest and interrogation will favourably improve police rule compliance. The second section assesses the extent of awareness of the procedural criminal law by the public consumers of such police services; specifically the laws of arrest and interrogation. The general supposition that is adopted in this study is that the principles of the rule of law is anchored on the premise that public awareness acts as a check on police rule violation. Public unawareness of these legal requirements of arrest and interrogation therefore jeopardises the legal boundary as a determinant in shaping the society's battle ground over what the police may do or must not do. The third section assesses the concept of visibility of the criminal law to the police organization. Here the expectation is that enforcement encounters will be more favourable where the visibility to police organization is higher.

## 5.2 Police Awareness and Compliance with the Procedural Criminal Law

The criminal justice system under the ambit of the criminal law has produced a body of judicial procedures that defines the standard of police conduct under the law. Police enforcement function is performed when the police act by applying these judicial procedures to persons deemed to have violated the law. These procedural laws of arrest and interrogation sets down lists of procedures or warnings that the police should administer to suspects to ensure admissibility of the evidences in court. Through the means of observational method, survey interview, in depth interview and focus group discussion, police awareness of the procedural laws of arrest and interrogation and its compliance is evaluated. To evaluate this research objective, the dependent variable of police awareness is analysed using the independent variables of legal framework of arrest, interrogation of suspects, warrant offences and police training.

Analysis of police arrest against the back drop of awareness of the procedural laws of arrest begs many question. How conversant is the police with legal framework of arrest? Arrest with or without warrant can be conceptualized as taking into custody with a view of bringing the arrestee before a court of competent jurisdiction to answer to a criminal charge. Legally, arrest constitute, first, the seizure of the body indicating that the person is under compulsions to submit to the process. Second, the reason for the arrest must be intimated. Third, the arrestee must be notified the powers of his arrest. Fourth, pretrial bail must be granted onailable offences. And fifth, indictable offences punishable by imprisonment should not be issued to minors. In principle therefore, an arrest is unlawful when it is executed in a manner that lacks the requisite power. The relationship between police awareness and legal framework of arrest is presented below in Table 5.1

**Table 5.1 POLICE AWARENESS AND LEGAL FRAMEWORK OF ARREST**

Legal Framework of arrest of	Dimension of Police Awareness			
	Awareness Freq. (%)	Unawareness Freq. (%)	Total Freq. (%)	
Seizure of body	83 (17.2)	58 (20.6)	141 (18.4)	
Reason for arrest	71 (14.7)	41 (14.5)	112 (14.6)	
Powers of arrest	129 (26.7)	52 (18.4)	181 (23.7)	
Pretrial bail	103 (21.3)	68 (24.1)	171 (22.4)	
Exclusion of Minor	97 (20.1)	63 (22.4)	160 (20.9)	
Total	483 (100.0)	282 (100.0)	765 (100.0)	

Table 5.1 shows the relationship between police awareness and legal framework of arrest. Data from observational study show that to a great extent police patrol officers are aware of the legal framework of arrest. The highest awareness rate was indicated on the legal restriction of notification of power of arrest. This is attributable to the fact that most police officers observed were in uniform performing statutory duties. Other legal restrictions with high awareness rating include granting of pretrial bail within 24 hours but not exceeding 48 hour and exclusion of juveniles below 18 years of age for arrest in indictable offences. Similarly, observational data show that the lowest awareness rate was indicated in the legal restrictions of intimating the arrestee with the reason for his arrest.

The implication of this finding is that police officers are aware of the procedural requirements of arrest. However the sizeable population of police patrol officer that are unaware of these legal restriction may cause offence of arbitrariness in method of arrest.

This findings suggest that police officers are to a great extent aware of these judicial imposition but may sometimes choose not to apply it. Following this contradiction between awareness and application, it is necessary to evaluate police rule compliance with laws of arrest. A survey interview of police patrol officers on their compliance with laws of arrest in the location of study is presented in Table 5.2 below

**Table 5.2 POLICE COMPLIANCE WITH ARREST LAWS IN RESEARCH LOCATIONS**

Research location of	Dimensions of Police rule Compliance.					
	Compliance		Noncompliance		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Maiduguri	70	(40.5)	103	(59.5)	173	(100.0)
Ibadan	46	(25.8)	132	(74.2)	178	(100.0)
Enugu	59	(32.2)	124	(67.8)	183	(100.0)
Total	175	(32.8)	359	(67.2)	534	(100.0)

Missing Nos = 6.  $X^2_{\text{calculated}} = 2.55$ ;  $X^2_{\text{table}} = 5.99$  at  $\alpha = 0.05$

Table 5.2 shows the dimension of police compliance with laws of arrest in the three city observational study. Data from survey interview show that to a great extent police patrol officers do not comply with laws of arrest. On the one hand, the police non-compliance rate is greatest in Ibadan and Enugu and lowest in Maiduguri. On the other hand, the police compliant rate is highest in Maiduguri and lowest in Enugu and Ibadan respectively. In Ibadan, the compliance rate is about one third the non compliant rate and in Enugu the compliance rate is about half the non compliant rate. In Maiduguri however, the compliant rate is more than half the non compliant rate. Similarly, the compliant rate in Ibadan is about half of the compliance rate in Maiduguri.

In Enugu however, the complaint rate is about three quarter the compliance rate in Maiduguri. This findings suggest that most police patrol officers interviewed do not comply with the judicial restrictions on arrest practices.

Data from in-depth interview on police compliance with arrest laws confirms this finding. Information from key informants show that on the one hand, police non compliance with procedural laws of arrest has manifested in the alarming rate with which police actions are litigated.. On the other hand, such arrests of offenders lacking procedural requirements has forced people to undergo trial on insufficient evidence leading to increased pretrial delays. This therefore raises serious doubts on the modality that guides police arrest behaviour. Here the propensity to arrest for infraction of the law, aside from its illegality in terms of non compliance is not aimed at satisfying the public security needs.

Similarly, data obtained from discussants from the focus group discussion confirmed this findings. The discussants are of the view that most police officers will clearly indicate preferences of non compliance with laws of arrest. They attributed this situation to the absence of remedial avenues for persons aggrieved by exercise of police powers to seek redress. Further, they are of the view that patrol officers perceive their actions as primarily beyond the comprehension of the community within which they operate. As such, they could afford to ignore legal boundaries that govern their actions.

Inference derivable from the data reject the hypothesis that police awareness influences police rule compliance of laws of arrest. The bivariate analysis using chi square ( $X^2$ ) show that the calculated value (2.35) is lower than the table value (5.991). So we accept the null hypothesis and conclude that there is no significant difference between police awareness and police rule compliance.

The implication of this finding is that the presumption of the primacy of the rule of law did not tell us anything about whether the law is fascist or authoritarian in nature. In this circumstances, such laws may not only serve ends of social injustice but super imposes the police as the coercive apparatus of state powers. It therefore becomes evident that the capacity of the police to perform their assigned function will depend in part on whether the socioeconomic system and its legal structures promote social justice or injustice, or is equalizing or exploitative. In order words, it is impossible for the police within the in-egalitarian Nigerian Society to ensure justice, given the mass unemployment and low level of political and social consciousness (Osita Eze, 1993).

Another variable in the determination of police awareness of the procedural law is the interrogation of suspects. Police interrogation is governed by the cautionary rule and the exclusionary law for searches and seizures. The cautionary rule sets down an authoritative limit of warning that the police officer must give to the suspect prior to questioning. This warning must be given if the response to their questions are to be admissible in court. The exclusionary law for searches and seizures holds that all illegally seized evidences should not be introduced in evidence for criminal proceedings. These laws therefore constitute an effort to simplify the determination of the voluntariness of the suspects statement by defining police responsibilities in specific terms. They therefore creates situations in which the police are required to adhere substantially to procedural requirement in order to secure court admissibility. The relationship between police awareness and the interrogation laws is presented in Table 5.3 below.

**Table 5.3 POLICE AWARENESS AND LEGAL FRAMEWORK OF INTERROGATION OF SUSPECTS**

Interrogative Laws of	Dimension of Police Awareness		
	Awareness Freq. (%)	Unawareness Freq. (%)	Total Freq. (%)
Cautionary rule	49 (68.1)	23 (31.9)	72 (100.0)
Exclusionary law	35 (66.0)	18 (34.0)	53 (100.0)
Total	84 (67.2)	41 (32.8)	125 (100.0)

Table 5.3 shows the relationship between police awareness and legal framework of interrogative procedures. Data from observational study show that to a great extent investigation police officers do not comply with the laws of interrogation. On the one hand, police awareness rate is highest with observation of cautionary rules during interrogation of suspects and lowest with the exclusionary laws. On the other hand police awareness rate is greatest with exclusionary laws and smallest with the cautionary rule.

This finding suggest that most investigation police officers (IPO) observed showed awareness of both the cautionary rule and the exclusionary law for searches and seizures. However, it is necessary to establish if police awareness of the interrogative laws is related to police compliance. A survey interview of police patrol officers on their compliance with laws of interrogation in the location of study is presented in Table 5.4 below.

**Table 5.4 POLICE COMPLIANCE AND FRAMEWORK OF INTERROGATIVE LAWS**

Research Location of:	Dimension of Police rule compliance					
	Compliance		Non Compliance		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Maiduguri	62	(34.8)	116	(65.2)	178	(100.0)
Ibadan	55	(30.7)	124	(69.3)	179	(100.0)
Enugu	71	(39.4)	109	(60.6)	180	(100.0)
Total	188	(35.0)	349	(65.0)	537	(100.0)

Missing Nos = 3.  $X^2_{\text{calculated}} = 12.59$ ;  $X^2_{\text{table}} = 5.991$  at  $\alpha = 0.05$

Table 5.4 shows the dimension of police compliance with laws of interrogation in the three city observational study. Data from survey interview show that to a very great extent police patrol officers do not comply with the laws of interrogation of suspects. On one hand, the police non compliance rate is highest in Ibadan and Maiduguri and lowest in Enugu. On the other hand, the compliant rate with interrogative laws is greatest in Enugu and Maiduguri and smallest in Ibadan. The compliance rate in the respective research location is about half the non compliant rate with laws of interrogation.

The above findings suggest that even though the patrol officers were aware of the interrogative law injunctions, they did not comply with it in their actions. Data from focus group discussion confirmed this finding. The discussants with experience of police action were of the view that most police officers shows preference of non compliance, even though the perceived cost of non compliance can be challenged. Similarly data from in-depth interview supports this findings. Opinion leaders are of the view that police non compliance with interrogative laws will continue to be on the



increase. This is because it is precluded by the ignorance of right to challenge questionable police conduct. Most often defendants plea guilty even where sufficient illegality exists. Interview with some retired judicial officers was quite revealing. They illustrated the abuse on police form D. 19 (attached as appendix) for recording suspects statements during interrogation. They demonstrated that the cautionary warnings are either dictated to the suspects in form that becloud their legal intentions or reworded in forms that discourage the suspect from taking these warnings seriously. It therefore becomes possible for the police to obtain written acknowledgement of the suspects statement fraudulently as well as ensuring its admissibility in the court. Perhaps the most important revelation from the in-depth study is the fact that the police department tend to be nonchalant to these rule violation by investigating police officers. The officers know that they will not be punished or viewed negatively for failure to observe these legal restrictions.

Inferences derivable from the data support the hypothesis that police compliance with interrogative laws influences police interrogation. The bivariate analysis using chi square ( $X^2$ ) shows that the calculated value is bigger than the table value, so we reject the null hypothesis and conclude that there is significant difference between police interrogation and police compliance with interrogative laws. Laurence Baun (1979) on his research on impact of court decision on the police noted that observers reported frequent police perjury that generally prevented successful challenges to the admission of seized evidences in court.

The effect of police training as an adjunct to police awareness of the rule of law is also evaluated. Regardless to the assumption that police trained in the rule of law will behave more in accord with legal rules, limited training also can have only limited effect.

Basic courses taught for recruit training include courses in law based content, police duties, drills (foot and riot), liberal studies and musketry or weapon training. The law based courses include criminal law, penal code, criminal procedure code, evidence act and miscellaneous offences. Training is important because beyond transmission of specific skills, it helps to serve as the necessary and sufficient condition for creating police awareness of the law. However, training deficiencies in police officers of law based content seems apparent with the high incidence of police noncompliance with the law. With a view of evaluating the adequacy of police awareness of the law based courses through training, the relationship between police training of law based courses and police awareness is presented in Table 5.5 below.

**Table 5.5 POLICE AWARENESS AND DIMENSION OF POLICE TRAINING**

Police awareness of	Dimension of Police Training					
	Adequate		Inadequate		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Criminal law	53	(39.3)	82	(60.7)	135	(100.0)
Penal code	54	(53.5)	47	(46.5)	101	(100.0)
Criminal Procedure Code	34	(32.4)	71	(67.6)	105	(100.0)
Evidence Act	52	(56.5)	40	(43.5)	92	(100.0)
Miscellaneous offences.	38	(37.6)	63	(62.4)	101	(100.0)
Total	231	(43.3)	303	(56.7)	534	(100.0)

Missing Nos = 6

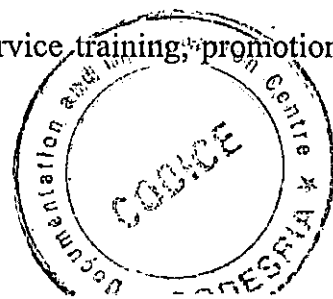
Table 5.5 shows the relationship between police awareness and dimensions of police training on law based courses. Data from survey interview show that to some extent police awareness through training of some of the law based courses are not

adequate. Police awareness through training was shown to be inadequate in criminal law, criminal procedure code, and miscellaneous offences on the one hand. on the other hand, police awareness through training was shown to be adequate in penal code and the Evidence Act. This finding tend to suggest that transmission of procedural laws through training did not create substantial awareness.

Data obtained from focus group discussion tend to confirm this findings. Discussants were of the view that police non awareness of the procedural laws through training may be due to the inadequacy of the requisite information about the law. The police poor educational background was also attributed as a factor that made it difficult for police officers to understand such legal materials specifically written for lawyers.

This finding is also supported by information from key informants. They are of the view that basic law enforcement curriculum for police recruit is deficient in law based courses. Inadequacy of police awareness through training was attributed to the problem of communicating training programme in the face of a non stipulated formal educational requirement for recruitment. Therefore it is difficult for such recruits with below school certificate to cope with the large volume of criminal laws materials that the course requires. Another factor which they pointed out is the little time assigned for the training of law based courses. With the basic police training routinised on daily basis to four hours for drill, six hours for guard duties and another three hours for fatigue, there is little or no time for the instruction of penal code, criminal law, criminal procedure code and evidence act.

As adjunct to creating awareness of the laws of arrest and interrogation through training, the Udoji Public Service review commission (September 1974) and Cooney's political bureau report (March 1987) recommended in service training, promotional



courses and staff development courses for the police force. The implication of this finding may suggest that such recommendation have had very little effect on the police. Information from key informant attributed the low effect to the drastic reduction on such awareness training programme due to lack of fund. Even where such training is organized, information on procedural criminal law is deficient.

Inference derivable from the data supports the hypothesis that police awareness is influenced by police training. The bivariate analysis using chi square ( $X^2$ ) shows that the calculated value is bigger than the table value, so we reject the null hypothesis and conclude that there is significant difference between police training and police awareness of the procedural laws.

Literature on police rule compliance indicate that police awareness are largely determined by the police officers educational attainment (White, 1972:62; Henderson, 1976: 112). This study therefore seeks to verify whether police officers educational attainment is related to police awareness of the procedural criminal law. For the purpose of this analysis, educational attainment is classified into low, medium and high educational status, respectively. On the one hand, police officers with no formal education, or educational attainment of primary school, and Koranic education are classified as low educational status. On the other hand, officers with school certificate, national diploma and professional certificates are classified as medium educational status. Finally, police officers with university degree and its equivalent are classified as high educational status. The relationship between police awareness and educational attainment is presented below in Table 5.6.

**Table 5.6 POLICE AWARENESS AND EDUCATIONAL ATTAINMENT**

Educational attainment of	Dimension of Police Awareness		
	Awareness Freq. (%)	Unawareness Freq. (%)	Total Freq. (%)
Low	43 (38.1)	70 (61.9)	113 (100.0)
Medium	201 (74.4)	69 (25.6)	270 (100.0)
High	152 (98.7)	2 (1.3)	154 (100.0)
Total	396 (73.7)	141 (26.3)	537 (100.0)

Missing Nos = 3.

Table 5.6 show the relationship between Police awareness and educational attainment of police patrol officers. Data from survey interview show that to some extent police awareness is related to the officers educational attainment. On one hand awareness of procedural laws of arrest and interrogation was shown to be low with officers of low educational background. On the other hand, awareness of the procedural law was shown to be high for officers with medium and high educational back ground. With a view of relating police awareness to police compliance, the relationship between police compliance and educational attainment is presented in table 5.7 below

**Table 5.7: POLICE COMPLIANCE AND EDUCATIONAL ATTAINMENT**

Educational attainment of	Dimension of Police Compliance		
	Compliance Freq. (%)	Non Compliance Freq. (%)	Total Freq. (%)
Low	65 (57.5)	48 (42.5)	113 (100.0)
Medium	97 (35.9)	173 (64.1)	270 (100.0)
High	58 (44.2)	86 (55.8)	154 (100.0)
Total	230 (42.8)	307 (57.2)	537 (100.0)

Missing Nos = 3

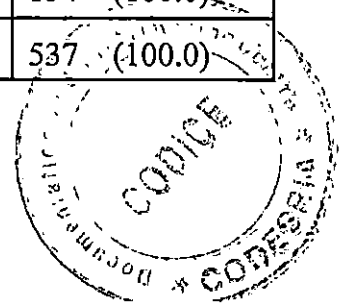


Table 5.7 shows the relationship between police compliance and educational attainment of police patrol officers. Data from survey interviews show that to some extent educational attainment of officers do not influence police rule compliance. On the one hand; officers with low educational qualification tend to comply with the procedural laws. On the other hand the rate of compliance tend to decrease with educational attainment. Officers with medium and high educational status on a comparative basis comply less with laws of arrest and interrogation than officers with low educational qualification. The finding from this data show that a high educational attainment do not lead to a corresponding high compliance rate.

Data from in-depth interview support this finding. Key informants were of the view that there is very little difference in rule compliance rate between patrol officers with low and high educational status. Within this group, they assert that it is the factors of command orientation and cop culture that influences compliance. Cop culture may be describes as informal values of socialization which officers pick up by watching older and more experienced police officers at work. Here patrol officers because of command orientation and cop culturism rather than educational attainment tend to be more rule following instead of complying with the rule of law.

Inference derivable from the data reject the hypothesis that police compliance with laws of arrest and interrogation is influenced by educational attainment. The bivariate analysis using chi square ( $X^2$ ) show that the calculated value is smaller than the table value. So we accept the null hypothesis and conclude that there is no significant difference between police compliance with procedural laws and educational qualification.

In summary, this section, attempt to examine the theoretical objective of Police awareness of laws of arrest and interrogation. To test this research objective, analysis were run against the dependent variable of police awareness and four independent variables. These independent variables include arrest laws, interrogation laws, police training and educational attainment. Evidence deduced from data collected through observational study, survey interview, in-depth interview and focus group discussion show that the patrol officers were aware of these laws.

In most circumstances however, awareness did not necessarily lead to compliance with these procedural laws. The survey interview of the three city study showed that the rate of non compliance is higher in some locations than in others. Reasons given for non compliance was because of the absence of remedial measure to pursue such questionable police actions. Similarly, the variable of police training show that some law based courses are not adequately communicated. Finally, it was demonstrated that the factors of command orientation and cop culturism rather than educational attainment influenced police compliance to a higher degree.

### **5.3 PUBLIC AWARENESS WITH THE PROCEDURAL CRIMINAL LAW**

The public awareness of the criminal laws of arrest and interrogation which guide police enforcement actions is generally not regarded as being clear. Within the backdrop of public awareness the criminal law retains meaning as the statement of ideals set forth by the society as the boundary around the realm of police rule compliance. Without proposing any universal correlation between public awareness and propensity of police actions, there is good reason to believe that some relationship exist between the two. Wilson (1973: 213) argues that the essential element of the police mans' role are not

defined by any legal boundary but by the relationship between a frightened aggrieved citizen and a particular man in uniform. Smith (1987: 227) suggest that police arrest can be shown to be more closely related to victimization and villianism once allowance is made for people exposure to crime area and their physical vulnerability. Skogan (1989) related propensity of police arrest to respondents with social and physical deprivation. Therefore the disparity of what the public perceives as violation and what the police enforces poses significant threat to social order.

Through observational study, survey interview, in-depth interview and focus group discussion, pubic awareness of the procedural laws of arrest and interrogation is evaluated. To evaluate this objective, the dependent variable of public awareness is analysed using the independent variable of income status, educational attainment, arrest laws and interrogative laws.

Functionally, the police procedural obligation to arrest constitute five elements. First is the seizure of the body indicating that the persons is under compulsion to submit to the process. Second, the reason for the arrest must be intimated. Third, the arrestee must be notified the powers of his arrest. Fourth, pretrial bails must be granted onailable offences. And fifth, indictable offences punishable by imprisonment should not be issued by warrant of offence to minors. In principle, arrest is unlawful when it is executed in a manner that lacks these requisite powers. The relationship between public awareness and arrest procedures is presented below in table 5.8.



**Table 5.8 PUBLIC AWARENESS AND LEGAL FRAMEWORK OF ARREST**

Legal framework of arrest	Dimension of Public Awareness					
	Awareness		Unawareness		Total	
	Freq.	(%)	Freq.	(%)	Freq.	(%)
Seizure of body	116	(57.1)	87	(42.9)	203	(100.0)
Reason for arrest	47	(37.6)	78	(62.4)	125	(100.0)
Powers of arrest	95	(59.0)	66	(41.0)	161	(100.0)
Pretrial bail	42	(28.8)	104	(71.2)	146	(100.0)
Exclusion of minor	57	(43.9)	73	(56.1)	130	(100.0)
Total	357	(46.7)	408	(53.3)	765	(100.0)

Table 5.8 shows the relationship between public awareness and legal framework of arrest. Data from observational study show that to some extent the public are unaware of the legal framework of arrest. On the one hand public awareness was high on legal framework of seizure of body and powers of arrest. This may be probably due to the fact that only uniformed police officers engaged in statutory functions were observed in this study. On the other hand public unawareness was high in the legal framework of reason for arrest, granting of pretrial bails and exclusion of minors from the execution of indictable offences. This data tend to suggest that the public to a great extent are unaware of these judicial procedures of arrest.

Data from in-depth interview lend support to this finding. They attributed the public unawareness of these judicial procedures of arrest to mass illiteracy. Therefore the benefit of this judicial in built check for control of police compliance is lost to a largely ignorant and illiterate community. Similarly, discussants from the field group discussion are in agreement that the public is greatly unaware of these legal requirements

of laws of arrest. The discussants were of the opinion that these procedural requirements are so contentious that they are beclouded out of public knowledge. In fact the avenues for the public to become aware of these legal restriction are indeed very few in the country.

The implication of this finding is twofold. First, the primacy of the rule of law proceeds from the premise that public awareness of these procedural checks will act as a balance between what the police patrol officer can do or must not do. Public unawareness of these legal guidelines therefore jeopardises legal boundaries as determinants in shaping the boundaries of public action. Second, public awareness of these procedural guidelines guarantees fundamental expression of liberty and right of the individual to complain against the police. This privilege holds the officer in check and subordinated to the public will by safe guarding against gross injustice by officialdom.

Another variable in the determination of public awareness is the legal framework of police interrogation governed by the cautionary rule and the exclusionary law. The two laws create situations in which the police are required to adhere to these rules if they are to secure court admissibility of evidence. The relationship between public awareness and interrogation laws is presented in Table 5.9 below.

**Table 5.9 PUBLIC AWARENESS AND POLICE LAWS OF INTERROGATION**

Interrogative Laws of	Dimension of Public Awareness		
	Awareness Freq. (%)	Unawareness Freq. (%)	Total Freq. (%)
Cautionary rule	28 (38.9)	44 (61.1)	72 (100.0)
Exclusionary Law	12 (22.6)	41 (77.4)	53 (100.0)
Total	40 (32.0)	85 (68.0)	125 (100.0)

Table 5.9 shows the relationship between public awareness and legal framework of interrogative laws. Data from observational study show that to a great extent the public are unaware of the legal framework of interrogation. The public indicated unawareness for both the cautionary rule and the exclusionary law for searches and seizures.

Data from in-depth interview support this finding. The key informants were of the opinion that unawareness could be related to the mass illiteracy and poverty that pervades the working masses. This illiteracy leads to ignorance of right which weakens the defendants legal position by leaving them no other option than to plea guilty. Therefore the benefit of this judicial inbuilt check for court admissibility is lost to a largely ignorant and illiterate community. Data from the focus group discussion similarly support this finding that the public are largely unaware of the legal framework of police interrogation. The discussants were of the view that in very few instances were they do, their incentive to challenge questionable police conduct are put in check by poverty. Their discussion was centred on the fact that the right to police rule compliance presupposes financial power to pay for summons and counsel's fee. Therefore what justice can a poor man have when he cannot even boast of one square meal per day.

The implication of this findings is two-fold. There is need to make sufficient legal aid to the public. This is because as lay men they do not possess skill in judicial matters. Therefore, if charged of crime, they are incapable of determining whether the indictment is good or bad because of his unfamiliarity with the rule of evidence. Thus they may be put on trial without a proper charge and possibly convicted upon incompetent and inadmissible evidence. Second, even when the public is aware of

police rule violation, there is no effective remedial avenue created for the defendants to seek redress. In all circumstances therefore, the best option is to plea guilty.

In summary this section attempts to examine the theoretical objective of public awareness of laws of arrest and interrogation. To test this objective analysis was run against the dependent variable of public awareness and the independent variables of laws of arrest and laws of interrogation.

In most circumstances the public were unaware of these procedural checks on police actions and inactions. Reasons advocated for public unawareness include mass illiteracy, poverty and lack of public enlightenment on procedural checks that guide police arrests and interrogation. Other reasons include insufficient legal aid to the public and the absence of an effective remedial avenue created for defendant to seek redress.

#### **5.4 Visibility to Police Organization and Police Rule Compliance**

This section seeks to examine whether the variable of visibility to police organization influences police rule compliance. The concept of visibility is based on the argument that police discretion is more limited in citizen initiated encounter than in police initiated encounter. This is because the police organization has greater opportunity to monitor what goes on in the former than in the latter. On the one hand, encounters in which citizen initiate police intervention were treated as being of high visibility to the police organization. On the other hand, encounters in which police intervene on their own accord were treated as being of low visibility (Robert Friedrich, 1979). The most straight forward expectation that can be deduced from this relationship is that police rule compliance will be more favourable in a situation where the visibility to the police organization is high than in a situation where it is low.

Employing data collected through observation method, survey interview, in-depth interview and focus group discussion, the variable of visibility to police organization is evaluated using three independent variables. These independent variables include nature of police intervention, visibility of the presence of a partner in arrest and visibility of the presence of a partner in interrogation. The relationship between nature of police intervention and dimension of police rule compliance is presented in Table 5.10 below.

**TABLE 5.10 NATURE OF POLICE INTERVENTION AND DIMENSION OF POLICE RULE COMPLIANCE**

Nature of Police Intervention	Dimension of Rule Compliance		
	Compliance Freq. (%)	Non compliance Freq. (%)	Total Freq. (%)
Public initiated	194 (55.9)	153 (44.1)	347 (100.0)
Police initiated	147 (35.2)	271 (64.8)	418 (100.0)
Total	341 (44.6)	424 (55.4)	765 (100.0)

Table 5.10 shows the relationship between nature of police intervention and dimension of police rule compliance. Data from survey interview show that to some extent the police do not comply with law of arrest and interrogation in the field setting. On the one hand, the compliance rate with procedural law is higher when the public initiate police intervention. On the other hand, the compliance rate is lower when the police initiate intervention by themselves. The data therefore tend to suggest that police comply with the law when the public initiate police intervention but does not comply when they initiate intervention themselves. This is because the police organization has a higher visibility over public initiated interventions than with police initiated intervention.

Data from the in-depth interview supports this finding. Key informants are of the view that the police in reactive police work are servants of the public and the operational jurisdiction is out of his choice, because of the presence of a complainant. In proactive policing however, the operational jurisdiction is a police choice and therefore arrest is totally a matter of the officer's own making. Data from focus group discussion similarly supports this findings. The discussants are of the opinion that complainants preference are able to deflate the outcome of an arrest. The presence of a complainant therefore holds the police in check from exercising unauthorized discretion.

Inference derived from the data supports the hypothesis that police arrest will be more favourable in a situation where the visibility of the police organization is high. The bivariate analysis using chi square ( $X^2$ ) shows that the calculated value is higher than the table value, so we reject the null hypothesis and conclude that there is significant difference between nature of police intervention and police rule compliance

Having established a relationship between nature of police intervention and police rule compliance; it is pertinent to evaluate the nature of police arrest when the police officer patrol with a partner. Although the presence of a partner may evoke different standard of behaviour, the expectation is that the presence of a partner will evoke greater visibility to the police organization. The relationship between police arrest in police initiated encounters and the visibility of the presence of a partner is presented in Table 5.11 below.

**Table 5.11 RELATIONSHIP BETWEEN POLICE INITIATED ARREST AND THE VISIBILITY OF THE PRESENCE OF A PARTNER**

Visibility of	Dimension of rule compliance		
	Compliance Freq. (%)	Noncompliance Freq. (%)	Total Freq. (%)
One man patrol	65 (33.4)	127 (66.1)	192 (100.0)
Two man patrol	124 (54.9)	102 (45.1)	226 (100.0)
Total	189 (45.2)	229 (54.8)	418 (100.0)

Table 5.10 shows the relationship between police arrest and the visibility of a partner. Data from observational study show that to some extent police do not comply with the procedural laws of arrest in a field setting. On the one hand the compliant rate with arrest rate is low in one man patrol. On the other hand the complaint rate of arrest is high with the two man patrol system. The data tend to suggest that patrol officer show more compliance with laws of arrest when they patrol in twos than when they patrol singly.

Data from in-depth interview support the finding. Key informants are of the view that visibility works to suppress the impact of police non compliance. Therefore deploying officers in a way that enhances peer visibility will minimize the use of unauthorized police discretion. The key consideration is that the partner is an extension of the police organization. In effect therefore, the presence of a partner will evoke organizational norms and enhance greater visibility to the police organization. The implication of this finding is that this generalization that police arrest will be more complaint in a situation of higher visibility than in one of lower visibility is defective in one principal way. It must be recognized that not all partners are equally likely to evoke organizational a norms. In fact, some may evoke different standard of behaviour.

In summary this result indicate that police discretionary change will be relatively ineffective as a strategy for achieving police rule compliance. They suggest an alternative. Throughout this analysis differences in visibility has be shown to affect the relationship between rule compliance and police arrest. Possibilities for the police organization to manipulate levels of visibility in ways that promote their objectives entails three proposals. First, police department can reduce police hostility in arrest procedures by manipulating levels of visibility in a way that promote their organizational objectives. To be specific, one objective of democratic policing is to ensure equal treatment for all citizens. When the treatment citizens receive varies from one individual officer to the other because each officer acts on his own inclination rather than on organizational objectives, that objective is not served (Fredrich, 1979). Second, visibility to the police department can be enhanced positively by emphasizing reactive rather than proactive initiation of encounters as is the present situation with police enforcement policies in Nigeria. Such reactive policing initiatives that will enhance visibility can be fashioned through intensified monitoring and supervision of police actions through the establishment of community oriented policing systems (COPS), coordination of police activities through communication gadgets, radio checks on duty posts, supervision of guard duties by a new improved supervisory network and extensive log keeping that are scrutinized on daily basis. Third, is the enhancement of visibility by logistic deployment of officers in teams, rather than on individual basis for enforcement duties. There has been much controversy over the relative merits of one man patrol versus the two man patrols. Linda Charlton (1977, 18-20) and Talirico and Swanson (1970) tends to support the one man patrol team because of the possible divergent evocation of different standard of behaviour. However, the result from this



study suggests that from the stand point of minimizing the effect of unauthorised police discretion on police actions, officers might better be assigned to work in teams such that their constraining attitudinal effects protects the possible offender from police rule violation.

## CHAPTER SIX

# PUBLIC SATISFACTION WITH POLICE ENFORCEMENT OF LAWS OF ARREST AND INTERROGATION

### 6.1 Introduction

The national aspiration of evolving a publicly accepted police force has remained unfulfilled and complicated by the increased awareness of crime and police imperfections in rule compliance. These police imperfections is manifested by the variation of the quality of service received by individuals who have encountered the police. Other forms of police imperfection include the diminishing public satisfaction due to experiences of brutalization, burgularization and vandalisation. Garlofalo (1981) has argued from the stand point of police rule compliance that research on the primacy of the rule of law can continue indefinitely. This is a sweeping statement but it does point to the need for a strategy to study policing in contemporary societies in many facets. One lacuna is the adoption of the customer oriented perspective which contrasts public satisfaction or dissatisfaction with police services. This perspective draws attention to the equality in the distribution of police services within the backdrop that satisfying the criterion of public acceptability is an important component of police work

This chapter is concerned with the attempt of linking individual satisfaction and dissatisfaction with police compliance of laws of arrest and interrogation. This is with a view of gauging the apparent consequences of the variation in the quality of services received by individuals who came in contact with the police. This chapter is divided into two sections. The first section assesses the individual determinants of satisfaction and

dissatisfaction in police arrest procedures. The general supposition adopted in this study is that public satisfaction with police service will influence police compliance with laws of arrest. The second section assesses the individual determinants of satisfaction and dissatisfaction in police interrogation. It attempts to explain the research objective that public satisfaction with police service will influence police compliance with laws of interrogation.

## **6.2 Public Satisfaction with Police Compliance of Laws of Arrest**

This section seeks to examine the research objective that public satisfaction with police services will influence police compliance with laws of arrest. Critical in the evaluation of police service is the assumption that citizen evaluation will more accurately reflect the totality of police services. Employing data collected through observational study, survey interview, in-depth interview and focus group discussion, the research objective is evaluated using the dependent variable of public satisfaction and four independent variables. These independent variables include local police performance rate, income status of respondent, assessment of police arrest procedure and reportage rate of crime. The relationship between local police performance rating and public satisfaction is presented below in Table 6.1

**Table 6.1 LOCAL POLICE PERFORMANCE RATING IN RESEARCH LOCATION**

Research Locations of	Local Police Performance rating			
	Satisfaction Freq. (%)	Uncertain Freq. (%)	Dissatisfaction Freq. (%)	Total Freq. (%)
Maiduguri	58 (31.4)	27 (15.3)	93 (54.3)	175 (100.0)
Ibadan	44 (24.2)	24 (13.2)	114 (62.6)	182 (100.0)
Enugu	43 (23.9)	31 (17.2)	106 (58.9)	180 (100.0)
Total	142 (26.4)	82 (15.3)	313 (58.3)	537 (100.0)

Missing Nos = 3

Table 6.1 shows the local police performance rating in the three city observational study. Data from survey interview show that there is substantial variation in citizens rating of the performance of their local police from city to city. On the one hand, residents in Maiduguri indicated the highest satisfaction rate with police services in their area. On the other hand, residents in Ibadan indicated the highest dissatisfaction rate with police services. Similarly, the satisfaction rate to dissatisfaction rate is about one third in Maiduguri, two-fifth in Enugu and one third in Ibadan. This findings suggest that most citizens are not satisfied with the performance of their local police.

Data from in-depth interview on public perception of the performance of their local police confirm this findings. Information from key informants shows that the police are perceived negatively by the majority of the local residents. This is because most public contact with the police leads to dissatisfaction. This is true particularly with the police giving little or no attention to community values and preferences.

Data from discussants from the focus group discussion similarly corroborate this findings. They attributed the variation in police performance poor rating to public

dislike of the police. As a consequence they stressed most offences are not reported to the police. This has led to the emergence of community based enforcement contraptions that has evolved in many communities in recent times. In Maiduguri it is the "Arewa boys", in Ibadan the 'Afeneferes' and in Enugu the "Bakassi boys".

Inferences derivable from the data supports the hypothesis that local police performance rating influence police compliance with arrest laws. The bivariate analysis using the chi square ( $X^2$ ) show that the calculated value is higher than the table value. So we reject the null hypothesis and conclude that there is significant difference between police performance rating and police compliance.

The strongest individual level determinant of police rating measured in this survey was the income status of the citizens. To illustrate this relationship, the demographic attribute of income status of respondent is analysed with the public perception of police performance. For this evaluation, respondents with income earnings of below ₦5,000:00 to ₦10,000:00 per month are classified as having low income status while respondents earning above ₦10,000:00 but below ₦20,000:00 are classified as intermediate income status. Similarly, respondents earning ₦20,000:00 and above per month are classified as high income status. The relationship between income status of respondent and police performance rating is presented in Table 6.2 below.

**Table 6.2 . INCOME STATUS OF RESPONDENT AND POLICE PERFORMANCE RATING**

Income Status of	Police performance rating			
	Satisfaction Freq. (%)	Uncertain Freq. (%)	Dissatisfaction Freq. (%)	Total Freq. (%)
Low Income	25 (17.0)	17 (11.6)	105 (71.4)	147 (100.0)
Intermediate Income	57 (26.6)	21 (9.8)	136 (63.6)	214 (100.0)
High Income	81 (46.8)	13 (7.5)	79 (45.7)	173 (100.0)
Total	163 (30.5)	51 (9.6)	320 (59.9)	534 (100.0)

Missing Nos = 6

Table 6.2 shows the relationship between police performance rating and income status of respondent. Data from survey interview show that there is substantial variation in police performance by the different income status group. On the one hand respondents with low and intermediate income status perceived police performance with dissatisfaction. On the other hand respondents with high income status perceived police arrest procedures with satisfaction. This findings suggest that respondents with low income status rated the police with the highest negative perception.

Data from discussants involving serving and retired police officers confirm this finding. They are of the opinion that such police evaluation is devoid of crime environmental measures which are importantly related to police performance. Similarly they claim that such public evaluation are speculative ventures since they lack the contextual knowledge of police operations and the legal juxtaposition that guides police work. Similarly, data from the focus group discussion support the finding from the empirical data. Discussants were of the view that respondents with low income status such as technical workers, apprentices, taxi car drivers and the unemployed experience

more hostile police arrest than other occupational categories. Discussants are also of the view that this police preferences of hostile arrest for respondents with low income status is because such category of workers lack the incentive to seek for redress.

Inference derivable from the data supports the hypothesis that income status of respondents influences police performance rating. The bivariate analysis using chi square ( $X^2$ ) show that the calculated value is higher than the table value, so we reject the null hypothesis and concludes that there is significant difference between income status of respondent and police performance rating.

The implication of this finding reveal that the negative perception of the police reveal underlying imperfections of capitalist policing characterized by unequal distribution of economic opportunities and class structure. This is particularly true with the main thrust of police work geared towards keeping the poor class in check through criminalization of their status and neighbourhood as high risk areas. According to Baumer (1981), the poor tend to live in the most dangerous neighbourhood which attract police arrest. This is because the police political classify such areas as potentiating actual risk. Similarly, the police are perceived negatively because of their involvement with the politics of the powerful class. The criminal law that the police enforce is the product of the political system in vogue. Regardless of the degree of immorality of an act, it is not a crime unless it is prohibited by political authorities through the criminal law ( Ralph Baker *et al.*, 1979). In this sense political leaders create crime. This is amply stated in the conflict theory of the criminal law which states that.

"When an interest group secure the enactment of a law, it secures the assistance of the state in a conflict with a rival interest group; the opposition of the rival group thus becomes criminal. According to this theory, wrongful acts

are characteristic of all classes in present day society. The upper classes are subtle in their wrong doing, the under privileged classes are direct. The upper classes are politically important and they prohibit the wrongful acts of the under privileged classes. But the laws are defined and implemented in such a manner that many of the wrongful acts of the upper classes do not come within the police scope.

(Sutherland and Cressy, 1974).

Thus the negative perception of the police in this study may be unjustifiable but understandable within the concept of the hegemony of the Nigerian nascent political bourgeoisies.

Another index that is causally proximate to the determination of public satisfaction is the variation in public reportage rate of offences. Evidences indicate that not all the offences which the citizen experienced is reported to the police. The reportage rate of offences in the research locations is presented in Table 6.3 below.

**Table 6.3 NON REPORTAGE RATE OF OFFENCES IN RESEARCH LOCATION**

Reasons for Non reportage of offences	Research Locations			
	Maiduguri Freq. (%)	Ibadan Freq. (%)	Enugu Freq. (%)	Total Freq. (%)
Triviality of incident	33 (19.9)	34 (18.6)	43 (32.2)	100 (20.6)
Absence of loss	29 (17.5)	19 (10.4)	24 (13.0)	72 (13.5)
Inability of Police to redress offence	40 (24.1)	45 (24.6)	47 (24.6)	132 (24.7)
Dislike of Police	23 (13.8)	32 (17.4)	23 (17.4)	78 (14.6)
Police not interested	41 (24.7)	53 (29.0)	48 (25.9)	142 (26.6)
Total	166 (100.0)	183 (100.0)	185 (100.0)	534 (100.0)

Missing Nos = 6.



Table 6.3 shows the various reasons advocated by respondents in the three city observational study for the low reportage of crime to the police. The observational data show that there is substantial variation on why citizens do not report offences to the police. The strongest individual determinants of non reportage of offences measured in this three city observational study are belief that the police will not be able to redress offence and that the police do not show interest on such reported cases. Both of these determinants has its highest effect in Ibadan municipal areas and its lowest effect in Maiduguri Metropolitan.

Other reasons given for the non reportage of offences by respondents include triviality of the incident and dislike for the police force. The data reveal a similar pattern of low reportage of offence in the different location of study. Public perception also indicated the factor of absence of loss as the remotest cause for non reportage of offence to the police

Data from in-depth interview also support these observational data. Key informants were of the view that most respondents particularly with low socioeconomic status feels reluctant reporting offences committed against them to the police. This is because they strongly believe that the police will not take their case seriously. This is particularly true when complainants are expected to transport the police to that scene of crime, pay for materials to document the case and and provide welfare for the police if their case is to see the light of day. Furthermore, such complaints from respondents with low socioeconomic status usually takes a downward turn if the suspect is with a higher social status than the complainant. This form of legal control therefore tend to perpetuate the existing system of social stratification.

Data from focus group discussion similarly corroborates this findings. The discussants were of the view that this trivialization of offences and refusal to report crime to the police characterize responses of respondents with low social status to offending. This state of affair is attributed to a long history of justice denied. Further it supports the earlier claims that the degradation of arrest is reserved primarily for the kind of illegality committed by lower status citizens.

The implication of this finding is the realization that policing within these communities are devoid of citizen inputs into the community security. Most importantly, is the possible development of public alienation of the police force by their portrayal as the state instrument of coercion and repression of popular sentiments.

Another variable in analysing public perception is the perceived rate or criminal victimization. The assumption here is that respondents with recent history of criminal victimization were less likely to grant the police a favourable rating. The relationship between public perception of police performance and victimization experience is shown in Table 6.4 below.

**Table 6.4 PUBLIC PERCEPTION OF POLICE PERFORMANCE AND EXPERIENCE OF VICTIMIZATION**

Crime Experience of	Public Perception of Police			
	Satisfaction Freq. (%)	Uncertain Freq. (%)	Dissatisfaction Freq. (%)	Total Freq. (%)
Non Victims	123 (46.4)	25 (9.4)	117 (44.2)	265 (100.0)
Victims of burglary	32 (34.1)	16 (17.0)	46 (48.9)	94 (100.0)
Victims of Assaults	23 (31.9)	12 (16.7)	37 (51.4)	72 (100.0)
Victims of Property loss	23 (39.0)	8 (13.6)	28 (47.4)	59 (100.0)
Victims of repeated experience	9 (20.9)	3 (7.0)	31 (72.1)	43 (100.0)
Total	210 (39.4)	64 (12.0)	259 (48.6)	533 (100.0)

Missing Nos = 7

Table 6.4 shows the relationship between public perception of police performance and the experience of victimization. Data from survey interview show that there is substantial variation in police performance from the perception of respondents who were victims of crime or members of their family in recent times. On the one hand respondents who have no experience of criminal victimization indicated satisfaction with police performance. On the other hand victims of criminal victimization and especially repeated victims were more dissatisfied than non victims with police performance. Comparatively respondents with repeated experience of criminal victimization gave the police the poorest rating than other respondents with the experience of criminal victimization. The same problem can be observed among victims of burglary in dwelling houses and assault victims which have a stronger psychological effect upon attitude than just property loss.

Data from in-depth interview confirm this finding. Key informant expresses the view that victims that experience post psychological trauma from victimization experience will rate the police poorly than victims with property loss that could be replaced over time. Similarly, the comparatively poor rating of the police they conclude is not borne out from direct victimization experiences. Indirect experiences deduced from experiences from neighbours or other members of the family and friends come into play in the respondents perceptive evaluation.

Data from focus group discussion similarly supports this finding. Discussants were of the view that respondents with experience of criminal victimization will normally rate the police poorer than non victims. This is because they believe that their post traumatic experience is a consequence of the police inefficiency. Similarly, respondents with repeated experience of criminal victimization displayed strong negative measure of dissatisfaction than other categories in their perception of police performance. This is because they believe to a very large extent that their misfortune is a consequence of police ineffectiveness in arresting known criminals.

Inferences derivable from the data supports the hypothesis that experience of victimization influences public perception of police performance. The bivariate analysis using chi square ( $X^2$ ) shows that the calculated value is higher than the table value. So we reject the null hypothesis and conclude that there is significant difference between criminal victimization and police performance.

### **6.3 Public Satisfaction with Police Compliance with Laws of Interrogation**

This section seeks to evaluate the research objective that public satisfaction with police services will influence police compliance with laws of interrogation: Laws of

police interrogation are governed by the cautionary rule and the exclusionary law for searches and seizures. On the one hand, the cautionary rule sets down an authoritative lists of warning that the police officer must give to the suspect prior to questioning. This warning must be given if the response to their questions are to be admissible in court. On the other hand, the exclusionary law for searches and seizures holds that all illegally seized evidences should not be introduced in evidence for criminal proceedings. Both laws therefore create situation in which the police are required to adhere substantially to procedural requirements in order to secure court admissibility. The relationship between public perception of laws of interrogation in the various location of study is presented below in Table 6.5.

**TABLE 6.5. PUBLIC PERCEPTION OF LAWS OF INTERROGATION IN LOCATION OF STUDY**

Research Locations of	Perception of Laws of Interrogation			
	Satisfaction Freq. (%)	Uncertain Freq. (%)	Dissatisfaction Freq. (%)	Total Freq. (%)
Maiduguri	8 (25.0)	5 (15.6)	19 (59.4)	32 (100.0)
Ibadan	15 (27.3)	11 (20.0)	29 (52.7)	55 (100.0)
Enugu	11 (28.9)	6 (15.8)	21 (55.3)	38 (100.0)
Total	34 (27.2)	22 (17.6)	69 (55.2)	125 (100.0)

Table 6.5 shows the public perception of laws of interrogation in the three city observational study. Observational data show variation in public perception of police compliance with laws of interrogation. Out of 125 interrogations that were recorded in this study, Maiduguri showed the highest rate of public dissatisfaction. In this poor

rating of police compliance with laws of interrogation, Maiduguri is followed by Enugu, with Ibadan scoring the lowest dissatisfaction rate. With regards to favourable rating of police compliance, Enugu recorded the highest satisfaction rate, followed by Ibadan. In all the cities evaluated, the rate of satisfaction is about a half of the rate of dissatisfaction. The above findings suggest that to a great extent the public have a very low rating for police compliance with laws of interrogation..

The above observation is supported by in-depth interview. Information from key informants from the judiciary show that the police violate the interrogative laws of cautionary rule and the exclusionary laws. The exclusionary laws are rarely observed and the cautionary rule are administered in a perfunctory manner that the arrestee is barely aware of its implication. Further these laws are of little value in the "Alkali" customary courts where incidences of the police dictating penalties to be awarded to offenders abound.

The above findings is also supported by information from the focus group discussion. Discussants are of the view that the problem of police rule violation will continue indefinitely in the face of the present police reward system where preferences are placed on circumstances that will increase arrest rate rather than situations that will enhance conviction rate. This is because arrest rather than interrogation has the utility in evaluating police performance. This is true particularly when the police organization who the officer looks up for cue places emphasis on effort that will promote arrest rate rather than on those that will improve conviction rate.

Another variable that will be used in analysing public perception of police compliance with laws of interrogation is the income status of respondents. For this study, respondents earning below ₦5,000:00 and not above ₦10,000:00 are classified

as low income status, while respondents earning above ₦10,000:00 but below ₦20,000:00 per month are classified as intermediate income status. Similarly, respondents earning ₦20,000:00 and above per months are classified as high income status. The relationship between income status of respondent and public perception of police compliance with laws of interrogation is presented below in Table 6.6

**Table 6.6 PUBLIC PERCEPTION OF INTERROGATION LAWS AND INCOME STATUS OF RESPONDENT**

Income Status of	Public Perception of Laws of Interrogation			
	Satisfaction Freq. (%)	Uncertain Freq. (%)	Dissatisfaction Freq. (%)	Total Freq. (%)
Low Income	10 (28.6)	6 (17.1)	19 (54.3)	35 (100.0)
Intermediate Income	7 (11.3)	11 (17.7)	44 (71.0)	62 (100.0)
High Income	13 (46.4)	4 (14.3)	11 (39.3)	28 (100.0)
Total	30 (24.0)	21 (16.8)	74 (59.2)	125 (100.0)

Table 6.6 shows the relationship between public perception of interrogative laws and income status of respondents. The data shows to a great extent that the public perception of police compliance with laws of interrogation is very poor. Respondents with intermediate and low income status show the highest rate of public dissatisfaction. Similarly, respondents with high income status showed the highest rate of public satisfaction. The above findings suggest that to a great extent, the public have a very low rating for police compliance with interrogative laws.

The above observational data is supported by in-depth interviews. Key informants involving retired police officers indicate that police interrogation consist of

two main types. The first type which involve primarily questioning of suspects are usually accorded to respondents with high socio-economic status. The second form to which respondents with low income status are usually subjected to involves inflicting physical pain to suspects with a view of extracting information. They were also of the opinion that the coercive nature of such interrogation rooms are not conducive for extraction of voluntary information from the suspects. Apart from the room arrangement, most suspects, particularly those involving armed robbery suspects are marched into these rooms in chains. These suspects in all cases were coerced for written acknowledgement for the admission of commission of an offence.

Data from the focus group discussion also support the observational data. The discussants were of the opinion that the fear of the police by the community was tending towards alienation. Similarly they are of the opinion that the problem of police non compliance with laws of interrogation is intractable. They uphold this belief to be true because even in circumstances that such actions were litigated, the worst outcome will be an order requiring compliance,

The genesis of this violation is to be located in the dichotomous system of justice operating in the country and the concomitant statutes which guide it. This system of justice emphasizes options of interrogation and conviction for respondents with low income status. This is because these class of people are seen to constitute problem to the interest of the capitalist state. They have to be incarcerated using police powers in order to keep them in check.

In summary, the major findings of this section reiterate the hypothesis that public perception of police services is influenced by police compliance with laws of arrest and interrogation. Statutorily, such laws should be ambivalence to public consent by



satisfying the criteria of impartiality and equal justice. These functions on the one hand must be carried out impartially by treating all cases in like manner and the rigorous exclusion of all possible bias. On the other hand, it must be carried out efficiently in order to satisfy the criteria of public acceptability.

Although legal conceptions of police work contrasts sharply with observation in the field setting, the three city observational study show that there is substantial variation in citizens evaluation of the performance of their local police. The strongest individual level determinants of police rating measured in this survey are income status, rate of criminal victimization and nature of police contact with the public. Three additional recommendations were suggested by the data.

First, police are perceived negatively mostly because their contact with the public creates dissatisfaction. Positive public attitude towards the police could be enhanced by the introduction of programme responses that will mitigate these negative perceptions. Most police reformers have advocated the introduction of police community relations programme and citizen police review boards, as a means of improving public perception of the police.

Second, current policing perspectives follow community typification into crime prone areas and crime free area based on socioeconomic status of the citizen. These classification pose significant threat to social order as arrests and interrogation are viewed as cultural responses to the undeserving poor. It is suggested that policing functions could be evaluated more effectively in terms of customer oriented perspective measured in terms of public satisfaction or dissatisfaction. This orientation ensures that what the public perceives as violation and what the police enforces shall not pose threat to police community relations.

Third is the problem of illiteracy. The desirability of legal enactment and the quality of its deterrent capabilities in ensuring compliance is fractured by illiteracy of the generality of Nigerians. Therefore the benefits of the judicial check on arrest and interrogation of suspects by court admissibility of evidence is lost. This is because majority of Nigerian can not read or write. Here police rule violation with judicial procedures do not mean much for a largely illiterate rural community absorbed in the rigours of struggle for survival.

## CHAPTER SEVEN

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 7.1 Introduction

The research problem examined in this study is the determination of police rule compliance with laws of arrest and interrogation. The study was specifically designed to examine the organizational structure and the legal framework of laws of arrest and interrogation and the extent of awareness of these legal provisions. The study also seeks to determine and explain the extent of awareness of these legal requirements and to ascertain public perception with regard to the manner in which police perform these functions. In this concluding chapter, effort were also made to summarize and discuss the major findings and make appropriate policy recommendation.

#### 7.2 Summary of Major Findings

The first major objective of this study was to examine the legal framework and organizational structure within which the police carry out its enforcement actions of arrest and interrogation. The observational data revealed that police arrest and interrogation are initiated either through citizen initiated complaints or through police initiated encounters. In both form of encounters the major form of evidence is through citizens complaint or when reasonable suspicion exists that the suspect has committed or is about to commit a felony, misdemeanour or simple offence. The data suggest that felony arrest is highest when citizens make complaints to the police and lowest when police witness the actual commission of the offence. Similarly, arrest is highest in

misdemeanour situations when police witness the offence and lowest when citizen make complaints to the police. The findings also suggest that on the one hand, police exhibit more hostile attitude in police initiated encounters and more friendly attitude in citizen initiated encounters. On the other hand, police interrogation were more friendly with suspects of high income status and more hostile for arrestees with low income status.

Examination of the legal framework of arrest and interrogation from the study suggest that although the legal framework relates directly to social control functions most of their contact takes place in a setting that is not enforcement oriented. Out of a total of 3,675 encounters recorded for both civilian and police initiated encounters. Only 765 arrests and 125 interrogations were recorded. As stated earlier, this attrition rate results from the general absence of arrest, and interrogation in normal policing milieu. With regards to legal framework of arrest, the data show variation in arrest rate at the different research locations. A high arrest rate for felony and misdemeanour offences was recorded in Ibadan and Enugu, while a low rate was recorded in Maiduguri. In the majority of the arrest, police action in the field setting vary considerably from their legal mandate. The findings suggest that on the one hand police exhibit more hostile arrest in property and personal offences than in offences involving personal morality and miscellaneous offences.

This relationship between propensity to arrest and police discretion suggest that arrest is fraught with discriminatory bias. The findings suggest that on the one hand, the factors of police prejudice, disrespect for police authority and income status of arrestee influences police hostile arrest. On the other hand, arrest encounters with high visibility to police organization predisposes the police to friendly arrest encounters. Such encounters with high visibility to the police organization include citizen initiated arrest,

seriousness of the offence and circumstances under which the action took place. The variable of community characteristic had very little influence in arrest outcomes. This may be due to the force organizational structure which pays little attention to the expression of community preferences.

Police interrogation are as a result of investigation of crime reports filed out by counter registration officers or patrol officers from crime incidents. The police organizational objective of interrogation is for the investigating officer to master the fact of the case such that inferences could be drawn for court opinion. The observational study shows that it is not all crime incidents and arrests that result in interrogation. The findings further suggest that although legality of police interrogation involves compliance with sets of judicial decisions, most police interrogations do not comply with laws of interrogation. The three city observational study show variation in the nature of police interrogation. In Maiduguri, the process is viewed as brutal and dehumanizing and in Ibadan and Enugu the process was characterized as not being guided by any known law. Other factors that were highlighted by the data on police interrogation include, falsification of statement by the police, statement coerced from arrestee and brutalization of suspects.

The second major objective of this study is to determine and explain the extent of awareness of legal requirements of arrest and interrogation by police officers and members of the public. The study of police agency, structure and operation shows that the medium of communicating legal procedures to the police is through training and formal socialization to work. Observational study show that although the medium of transmission of information is not adequate, police patrol officers are to some extent conversant with the laws of arrest and interrogation.

Determination of the extent of awareness of police patrol officers to laws of arrest and interrogation show that the police are aware of the legal framework of arrest and interrogation. On the one hand the highest awareness rate for laws of arrest is the notification of the powers of arrest. On the other hand, the cautionary rule showed the highest awareness rate for laws of interrogation. Other legal restrictions with high awareness rate include granting of pretrial bail, exclusion of minor below 18 years from arrest for indictable offences. The three city observational study shows to a great extent that the police do not always comply with laws of arrest and interrogation in their normal practices. The police compliance rate is lowest in Ibadan but highest in Maiduguri. The data further suggest that most patrol officers will clearly indicate preference for non compliance with laws that prevent arrest and interrogation.

Examination of the extent to which the laws of arrest and interrogation are observed by patrol officers suggest that police compliance of these laws are influenced by the factors of training and educational attainment. Using the assumption that police trained in the rule of law will behave more in accordance with legal rules, the data suggest that training of some law based courses are not adequate. Training in penal code and evidence act are adequate while training of in criminal law, criminal procedure code and miscellaneous offences are not adequate, to create substantial awareness. This problem was attributed to communicating training programmes in the face of a non stipulated formal educational requirement for recruitment. Therefore it is difficult for such recruits with education below school certificate to cope with large volume of law materials that the course requires. The data similarly demonstrated that although awareness was higher for officers with high educational attainment, it did not influence police compliance. Rather informal values of police culture tend to influence

compliance.

With regards to public awareness of the procedural laws of arrest and interrogation the data suggest that the public generally are not aware of these legal restrictions. The findings further suggest that the public are not conversant with the cautionary rule and the legal procedures for arrest. For arrest procedure, the legal framework of seizure of the body and powers of arrest has the highest awareness rate. This may probably be related to the fact that only uniformed police patrol officers were used in this study. The public showed high unawareness rate for the legal framework of pretrial bails, exclusion of minors from indictable offences, notification of powers of arrest and reason for the arrest.

Comparison of police action with the visibility of police organization shows that visibility to police organization influences rule compliance. While low visibility to the police organization elicit police non-compliance. The finding suggest that low visibility of police action to police organization is characterized by high rate of police hostility. This observation is consistent with the idea that organizational norms are less important to officers where police organization cannot monitor their actions. The data also reveal that on the one hand, the compliance rate with procedural law is higher when the public initiate police intervention. On the other hand, non compliance rate is higher when police initiate intervention themselves. The study further suggest that factors that enhance visibility to police organization include, the presence of a partner. The presence of a partner evokes greater visibility, to police organization. The data similarly suggest that visibility to police organization work to suppress police non compliance with laws of arrest and interrogation by promoting organizational norms.

The third major objective of this study is to ascertain and explain public perception of the Nigeria police with regards to the manner in which it performs its duties of arrest and interrogation of suspect. Public perception expressed in terms of satisfaction or dissatisfaction is an expression of the apparent consequences of the variation in the quality of service received by individuals who come in contact with the police. The three city observational study show that the public is not satisfied with the performance of its rural police. The data suggest that there is substantial variation in the public rating of the performance of their local police from city to city. Residents of Maiduguri indicated the highest satisfaction rate with police services while residents of Ibadan indicated the highest dissatisfaction rate. The majority of respondents in the area of study perceived the performance of their local police negatively. This is because most public contact with the police leads to dissatisfaction; particularly with the police giving little or no attention to community values or preferences.

The strongest individual level determinants of police rating measured in this study include three factors. First is the income status of respondents. The data suggest that respondents with low income status perceive police performance with dissatisfaction while respondents with high income status perceive police action with satisfaction. This is because the police exercise more hostility and coercion in dealing with this group of respondents, than respondents with high income status who are treated with greater respect or lenience. Second is the public reportage rate of offences to the police. The data suggest that not all offences which the public experienced are reported to the police. The three city observational study show that the reason for non report of offences vary from location to location. In Maiduguri the major factor for not reporting of offences are the reasons that the police are not interested in the case and their belief in the



inability of the police to redress wrong. Other reasons advocated include triviality of the incident, absence of loss and dislike for the police.

Third is the criminal victimization experience of the respondent or members of his immediate family in recent times. The data suggest that there is substantial variation in the rating of police performance from the perception of respondents that have suffered victimization. The data further suggest that respondent with history of recent criminal victimization either through police brutality or as an effect of crime, rated the police poorly than other groups. Similarly, respondents with repeated history of criminal victimizations scored the police the poorest rating in this study. Furthermore, respondents that have suffered post psychological trauma from the experience rated the police poorer than victims with only property loss.

### **7.3 Conclusion**

In concluding this study, it is evident that police non compliance with the procedural laws of arrest and interrogation constitute a serious social problem in the country. It is also evident that both the public and the criminal justice system are strongly compromised by police violation of the rule of law. Here the powers of the state is aligned against the individual who faces the possible loss of life, liberty, property, esteem and future earning power as a result of being accused of crime.

These observations raised about policing in contemporary societies by this study are not peculiar. Writers such as Odekunle Femi (1976), Gyong, J.E. (1988, 1994), Ahire (1989), Alemika (1991, 1993) and Maliki (1994) have come out with similar findings. For instance, Alemika (1996) observed that the widespread cases of police rule violation and abuse of power in Nigeria is not due to lack of constitutional provisions to curtail

such practices, but rather to the nature of control of police powers. Furthermore, he noted that whatever penalties that are currently applied against police repression are ineffective and do not adequately deter. Gyong (1994) in the same vein observed that criminal victimization and psycho-sociological consequences for the victims are aggravated by inefficiency, corruption, and collection of material gratification from the victims by the police. Consequently this negative impact of police rule violation are not peculiar to the areas of study but are generalizable within the wider context of Nigeria.

It may be argued that the nature, pattern and character of police non compliance with the laws of arrest and interrogation in this study maybe attributed to the following factors. Non flexibility in situational resolution of legal disputes, inadequate control measures in checking police abuse of powers, unauthorized police discretion, lack of organizational supervision of subordinates, and increased moral decadence. Other factors include in adequate and rapid change in the pattern of socialization in the society, increased unemployment and under employment of the youths, poverty, retrenchment, general indiscipline and widespread police corruption. Consequently, one can relate these precipitating factors to the nature, pattern and character of police non compliance with laws of arrest and interrogation in the area of study in particular and the whole country in general.

It is worthy to note that these apparent causes which the result of this study has exposed are the antecedents of a more deeply rooted causes. These deeply rooted causes of police non compliance may be located in the structural character of the social order existing in contemporary Nigerian society. Firstly, police non compliance with laws of arrest and interrogation may be meaningfully located in the policing strategies of capitalist socioeconomic order with its preference for free enterprise and private

accumulation. Such a policing framework has a structural in-built tendency of disproportionality in the reproduction process of capital and appropriation of surplus values. It is within this framework that wealth and income are shared and concentrated in the hands of the nascent bourgeois who perpetuate poverty among the proletariat. Other obvious failures and shortcomings within this framework is the exclusion of the citizens role in effecting community security and safety.

Secondly, this social order is characterized by two classes, the bourgeois and the proletariat who have diametrically opposed interests which is antagonistic in nature and orientation. The conflict between the two classes in police action is manifested by the exclusion of the bourgeois from police arrest and the disproportionate arrest of the poor. Thirdly, the social order is characterized by increased marginalization thereby creating unemployment and underemployment. Police arrests are seen to be closely related to victimizations and more likely to be perpetrated on the poor within the context of low visibility of police actions to the police organization. This predominance of cultural responses where arrest and interrogation are structured towards respondents with visible social deprivation means that the undeserving poor are mostly seen as criminals deserving punishment instead of justice. This situation is aptly described by Carlen (1996) as the penalization, stigmatization and criminalization of the vilified population of the undeserving poor.

Fourthly, the social order operates on the basis of coercive mode of state intervention into social formations. This is in line with class aspiration of the nascent bourgeois and the military elite who have imbibed the capitalist philosophy of conscripting the state apparatus of coercion for acquiring state powers. Consequently, the operative socioeconomic order in the country is inherently contradictory.

The explanation for police rule violation in the areas of study and particularly in Nigeria could be related to the current retrospective accounting of police action. Here political institutions control policing and requires them to offer legally acceptable justifications for their operations after they have been undertaken. These operations revolve around articulation of capitalist and neo-capitalist structures and the promotion of conservative policies. Contrary to the consensual policing theory, events in the area of study depict the police as instrument of political powers. This has resulted in the police discrimination against working class youths with low socioeconomic status in a manner not explicable in term of seriousness of the offence.

Public dissatisfaction with the law enforcement, particularly, in the application of laws of arrest and interrogation has generated great concern about the effectivity of the police. This concern may be related to the historical evolution of policing in Nigeria. Its antecedent is that policies are not formulated with the contingent circumstances of the Nigeria communities in mind. Here the procedural criminal law which legitimises and control role of police in criminal justice administration are not complied with. Therein then lies the explanation of the high rate of police rule violation in the areas of study. The social order and its cultural responses has further generated inadequate and rapid changes in the pattern of socialization. Evaluation of legality of acts or omission of police actions depict scenarios of rule violation. Police arrest and interrogation are seen to be more closely related to victimization and villianism. Respondents with low socioeconomic status are framed with the language of hostile arrest as a manifestation of exceptional coercion and exceptional privileges of expressing power.

Faced with the dire necessity to survive, a general state of insecurity is created. As the result from this study has shown, the police cannot produce a suitable platform

for the provision of a single moral order. This is because it lacks a rational integrated power base necessary in portraying the police as a public utility. With the manifestation of police rule deviance there is the need to help advance the capacity of the police to regulate conflict, promote stable police public relations and motivate police accountability. Three major factors militating against police rule compliance has become obvious from this study. Firstly, policing objectives was designed to achieve a limited set of objectives that are contrary to the community shared values. These objectives revolve around articulation of capitalist and neo capitalist structures, coercion to disarticulate indigenous political organization and the promotion of conservative policies. Furthermore, enforcement officers faced an unsolvable contradiction. With the enforcement of obnoxious laws, the police runs the risk of becoming a *coup d'elite* set apart from the rest of the community. However, the moral crisis of police deviance is that they are sworn to uphold and enforce the law and such deviance will have dire consequences on the dignity, welfare, rights and liberties of the citizens. Even if this functional inefficiency is remedied, its capacity to make a transparent stewardship will still be a goal to be met.

Secondly and most important is that the criminal law whose statutes the police enforce has no cultural relationship but are rather foreign. These undemocratic legal expressions therefore constitute illegal intrusions into the indigenous social formation and make compliance very difficult. Information from this study has given indication that policemen perceive their actions as primarily beyond the comprehension of the community within which they operate. This is a portrayal that the propensity to arrest is not aimed at satisfying the public security needs. A manifestation of this rule violation is the rate at which police actions are litigated or thrown out of court. The implication

of this findings create three major concerns. First, arrest is initiated hastily and interrogation too readily leading to increasing pretrial delays. Second, the police rarely consider alternative to arrest even though the objective of deterrence might be achieved by other measures. Third, the principle that an individual should be arrested only when it is in the public interest is violated. The genesis of this violation is located in the dichotomous system of justice operative in Nigeria and the concomitant statutes which guide it.

Thirdly is the police command structure and orientation which stifles initiatives and constrain actions. This limitation forces officer to apply the law universally. Here they seek out crimes and criminals in a sense of a self motivated work instead of being essentially reactive to citizens complaints or influenced by the demand of the community. A review of the command structure characteristics reveals that the police was initially structurally and ideologically based on the practices of colonial administration which the emergence of independence had not significantly changed. As an effect, contemporary policing are not formulated with the contingent circumstance of the society in mind. This has resulted in its failure to modify these contingent factors of performance, rather, emergent policing problems are subsumed in the mystery of 'cop culturism'.

These observation conforms with the operative social order in Nigeria. The dominant class create structures and processes which enable it to formulate, maintain and perpetuate its interests over and above that of the dominant majority, (Ahire, 1989). In addition the bourgeoisie as members of the ruling class uses the state resources to distant themselves from the undeserving poor whom the police must hold in check. This is achieved by the creation of state laws which gave normative form and coercive content

to the relations of socialization as defined by police arrest and interrogation practices. Penal laws therefore is a state apparatus which conserves inequality in the social order with the police operating as an instrument of governance by one class against the other. This implies that generally the working masses which constitute the country's work force have higher chances of being arrested than their privileged counterparts. Mike Brogden (1988) reinforced this observation by observing that given the police specific role in containing working force dissent and alienation, all attempts at reform are doomed to failure. This he claims is due to the absence of broader changes designed to end the endemic 'slum-boom' cycle of capitalist crisis and their political ramifications.

From the above analysis, it is evident that the latent faults of police non compliance could be attributed to the laws imported by the colonizing bourgeoisies which were not geared for public order or social stability. Rather they are for the suppression of public discontent. Such repressive policing has been adopted by the emerging national bourgeoisies at independence without altering its basic approach and its targeting to containing working force dissent. This is with a view of keeping the under privileged masses under effective check against possible reaction to the nascent bourgeoisies. It is therefore not surprising that police violation exist in police practice in the country. Similarly, it is not surprising that the government is reluctant to address the issues of police deviance in our community.

In conclusion, therefore, this study brings out a number of issues on the subject of police non compliance in contemporary Nigeria in the two dimensions of arrest and interrogation of suspects. Firstly the problem of police rule violation in Nigeria is real and has assumed a serious dimension both in terms of number and frequency of occurrence. Secondly, it is targeted specifically in containing working force dissents

with low socioeconomic status by defining the procedural criminal law as a state apparatus which conserves inequality of the social order. Thirdly, it is fraught with discriminatory bias and hostility with the variable of community preferences having very little influence in arrest outcomes. Finally, the operative social order and its cultural underpinning is largely responsible for the problem of police non compliance with the procedural criminal law.

#### 7.4 POLICY IMPLICATIONS

Generalization or any prescription from the result of this study to the police in general is a risky enterprise because of the narrow scope and applicability of such research findings. It is however pertinent to note that the discussion of the policy implication of the conclusion based on such limited evidence is difficult. Primary, the data were gathered only in three (3) municipalities of these states out of about thirty-six (36) states in the federation. Secondly, only policemen involved in beat patrols as opposed to police officers involved on surveillance, detective, intelligence gathering and other symbolic specialist police functions were observed. Other flaws that negate generalization include the bias in procedures used in measuring police rule compliance in arrest situation and more importantly is that the observation was made at a time in Nigeria history when transitional democracy was husbanded by a military regime which placed strain on police actions and anarchy on the society. Finally, the relationship found in the data are generally weak and though they vary in ways consistent with expectation, the difference is often within narrow margin. Nevertheless, a tentative efforts seems justified because the research proceeds from evidence deduced systematically in comparison to less systematically gathered evidences that has



underpinned most of such discussions in the past.

Two policy implications derive from the evaluation of this study in the context in which police exercise social control through law. This style of social control ordinarily associated with the police is penal rather than conciliatory in character since they relate to people as offenders who have violated the prohibitions of the criminal law. The data suggest that the propensity to arrest or interrogate arrestees whether in citizen initiated or police initiated encounters are influenced by some factors. These factors include police prejudices, socioeconomic status of respondents, police training inadequacies, the operative social order and the cultural underpinnings. Result of findings from the study suggest that these factors influence police non compliance with laws of arrest and interrogation.

First, it is observed that to a great extent, the prejudice of the police officer influences his propensity to arrest and interrogate suspects. Here it is in doubt if effort to effect police compliance with laws of arrest and interrogation will result in sweeping changes in police actions. Although the data revealed that police discretion is primarily a function of personal prejudice, they are not all that decisive as determinants of police propensity to arrest and interrogate suspects. Other factors of organizational decision, socioeconomic status of respondents, the operative social order and cultural underpinnings and circumstances in which in which the action takes place comes to play in the determination of variation of police action. Efforts to recruit new officers with positive attitude for compliance to rules of arrest and interrogation or to inculcate positive attitude for rule compliance to police serving members through in service training proved inadequate because of the effect of informal cop culturism. This does not imply that such effort would be completely wasted.

One advantage of this effort is that even a slight improvement in the fairness and friendliness of police arrest laws, will be desirable for three reasons. First, the moral crisis of police deviance and its dire consequences, which it has on the dignity, welfare, rights and liberties of the citizen will be slightly ameliorated. Second, is that such improvement on public evaluation and public satisfaction is likely to be compounded over the years for the evolution of an improved police public image in contrast to the present situation where the public alienate the police. Third, is that such improvement in police arrest will lead to substantial behavioural changes, particularly in confrontational situations where hostility beclouds police rationality particularly in circumstances where visibility to the criminal law is low.

Implicitly, these results suggest that change in police arrest mode will be relatively ineffective as a strategy for refashioning police rule compliance in a capitalist inegalitarian society. They suggest another possible option. The second option is for the police department to manipulate levels of visibility in a way that promote fairness in arrest and interrogation and eliminates hostility by discouraging personal whims of individuals police officers. Efforts should be made for the achievement of an egalitarian society in order to address the problems of injustice, mass poverty, oppression, corruption, mass unemployment and mass retrenchment of workers that presently characterize the Nigerian polity.

Ideologically, arrest or apprehension of offenders constitute the legal framework within which police bureaucracy operates. Within the concept of democratic principles and values, the police must ensure the primacy of equality of all before the law and arrestees should be given fair and just treatment as they are processed through the criminal justice system. When the legal boundaries governing arrest and interrogation

of suspects are violated and are in variance between individual police officers, the objectives of a democratic police organisation is not served as shown in the data. These results suggest that the contemporary Nigeria Police Force should improve the efficiency of its arrest mode by reducing the dependence on police action based on personal norms. Rather, the force should promote the important objective of police impartiality and equal treatment for all by influencing the visibility of police actions.

Four methods that could be employed in increasing the visibility of police action to the substantive criminal law or the police organization are as follows: First is the upgrading of police awareness of procedural requirement of the criminal laws as it governs arrest and interrogation through training such that their focus should be geared to compliance. Second is the consideration of alternatives to non forceful arrest measures and the entrenchment of the principles that arrest or prosecution of suspects should be undertaken only when to do so is in the public interest. This position is currently being violated because of the dichotomous system of justice operative in the country. Third, is emphasizing reactive initiative encounters by enhancing visibility through close supervision by supervisory inspectors and de-emphasizing proactive policing where emphasis is on full enforcement of the law. Fourth, is enhancing public knowledge of the procedural awareness of the criminal law and the police powers with a view of increasing public understanding of its right and privileges.

Evidence suggest that these strategies will undoubtedly enhance visibility of police actions by reducing personal prejudice in arrest decisions. However, three qualifications should be noted in advancing these strategies. First is the qualification of manipulating visibility through procedural awareness. That the police officer knows about the legal constraint guiding proceeding on infraction of the law is by no means

certain. Empirically, police rule compliance has a negative association on police procedural awareness with the attribute of police training having the strongest independent effect on police procedural awareness. Manipulating visibility through training, in service training and refresher course are advocated with a view of reducing the alarming rate with which police actions are litigated. Second, is the qualification of manipulating visibility such as to effect behaviour of compliance. The desire to manipulate high propensity of arrest by the contemporary Nigeria police may justify discouraging proactive policing by encouraging two man patrol system irrespective of the psychological and social difficulty the pairing may pose. Third, is the manipulation of visibility so as to reduce the effect of prejudice on arrest and interrogation. This would have effect on the relationship between prejudice and impersonality of police action. The achievement of this manipulation of police prejudice may require the establishment of a supervisory and monitoring units to ensure that the police constable does what he is trained to do. However such supervisory framework may entail cost. Without weighting cost and benefits, the police department runs risk of achieving limited benefits at a very high cost.

## **7.5 RECOMMENDATION**

The existing policing model within contemporary Nigeria with its latent abnormalities of rule violation can only be explained in terms of class inequalities and contradictions. As an attempt to change this prevailing social order, recommendations are presented in the categories of short-term measures and long term measures.

## 1. Recommendation Based on Short-Term Measures

The recommendation based on short-term measures involves raising the consciousness and awareness of the public in three important dimensions. Firstly, the public awareness of the legal provision of the statutory laws of arrest and interrogation of arrestees should be addressed through intensive campaign using the mass media and educational institutions. The campaign should be highlighted to illustrate the following four key points. First, rational effort should be made to ascertain the constitutionality and legality of omission of the police in the process of ensuring the primacy of law in criminal justice administration. Secondly, the public should be educated on the primacy of the law and injunction that all must obey the law in ensuring the maintenance of law and order. Similarly, is the need for providing remedial avenues for offenders, or any person aggrieved by exercise of police powers which contravenes statutory provision of arrest and interrogation of arrestees. Third, there is the need for safe guarding that arrest must satisfy the criteria of impartiality and equal justice. Fourth, streamlining police training on legal procedure guiding criminal proceedings principles of fundamental human rights and offenders right with a view of satisfying public security needs. These training initiated awareness will promote citizens awareness of police powers and police recognition of its legal limitation in enforcement situation.

Secondly is the manipulation of the visibility of police action in a way that promotes policing objectives as a strategy for remaking police hostility which presently characterized their intrusion into contemporary Nigeria societies. Although the result suggest that police discretionary control will be relatively ineffective as a strategy, possibilities for police organization to manipulate levels of visibility in ways that promote their objectives entail three proposals. First, police department can reduce

police hostility in arrest procedure<sup>1</sup> by manipulating levels of visibility in a way that promotes their organizational objectives. To be specific, one objective of democratic policing is to ensure equal treatment for all citizens. When the treatment citizens receive varies from one individual officer to the other, because each officer acts on his own inclination rather than on organizational objectives that objective is not served (Friedrich, 1979).

Other methods include coordination of police activities through police community relation, communication gadgets, radio checks on duty posts, supervision of guard duties by new improved supervisory network and extensive log keeping that are scrutinized on a daily basis. Third, is the enhancement of visibility by logical deployment of officers in team rather than on individual basis for enforcement duties. There has been such controversies over the relative merits of one man patrols versus the two men patrol team. Linda Charlton (1977) and Talarico and Swanson (1970) tend to support the one person patrol team because of the possible divergent evocation of different standard of behaviour. However, the result from this study suggest. that from the standard of minimizing the effect of unauthorized police discretion on police actions, officers might better be assigned to work in pairs such that their constraining attitudinal effect protects the possible offenders from police perjury and police rule violation.

Thirdly, the police should be educated about proper use of discretionary powers particularly, in the wake of charges of police brutality on citizens. This is germane since it is quite clear that people from low socioeconomic status (SES) are disproportionately arrested. This discrimination of respondents with visible social deprivation could be addressed by prescriptions of narrowing the broad range of discretionary powers

(authorized and unauthorized) of the street level police officer. Within prescription involves the recommendation for local police consultation as a mechanism for encouraging policing by consent and making the police more responsive to the expression of community values. Such locally based community police consultation apart from making for greater policing accountability, leads to the emergence of police and community initiatives with the police responding sensitively to community wishes. As a concept it is hoped that it would allow general policing policy to be adapted to meet identified needs in the light of expressed wishes of the local community.

The experience of Britain is very instructive in this aspect. Police riots and police resentment erupted in British cities of Bristol (1980), Brixton (1981), Liverpool and Birmingham (1981) which stemmed in part from police discretionary actions that did not command the respect of local communities. This resulted in loss of confidence and respect for the police leading to destruction of properties and burning down of police stations. The reformation of such obnoxious policing strategy resulted in Lord Scarman's report. Part of the report read thus:

*If a rift is not to develop between the police and the public....., it is my view essentially that a means be devised enabling the community to be heard not only in the development of policing policy but in planning many, though, not all operations against crime. (Lord Scarman's Report, 1986)*

This called for democratic political accountability of police actions instead of the previous constabulary operational independence. This resulted in the formation of police consultative committees (PCC). The PCC's were adapted to curb police discretion in Britain with emphasis based on the need for the police to be seen consciously carrying the public with them. Therefore, these PCC which represents a bottom-up commitment

earnestly pursued in response to parochial relationship difficulties between the police and the local neighbourhood based on the rhetoric of local autonomy and flexibility could possibly be adapted to the contemporary Nigeria communities.

## **2 Recommendation Based on Long-Term Measures**

The existing policing model of contemporary Nigeria does not portray the police as a public utility. This is because Nigeria, being a capitalist society, lacks the capacity for equitable distribution of police services to all citizens that require its service in accordance with legal norms. The study therefore recommends as a long term measure the evolution of a completely new policing strategy that reflects the interest of masses in policing initiatives, rather than its exploitation by national bourgeoisie and its international allies. This teleological approach locates policing initiatives not as a specialist repository of state monopoly of legitimate force (Rienner, 1982; 49), but in the contradiction between various classes in the society. A fundamental restructuring of policing issues along the line desired here can only be achieved from a change of society towards social justice.



## BIBLIOGRAPHY

- Adeyemi, S. A. (1992) "The Police as an Organisation Management Challenges". Paper presented at Police Commissioners Training Week. Police Staff College Jos. February.
- Adeyemi, A. A. (1977) "The Problems of Criminal Justice System in Nigeria". In: Adeyemi A. (Ed) Nigeria Criminal Process. University Press, Lagos.
- Aduba J.N. (1999) "Judicial Interpretation of the Fundamental Human Right in Nigeria", being a paper presented on The Workshop for Law Enforcement Officers on Human Right and Law. Kaduna, 1999.
- Afrifa, K. G. (1988) "The Meaning and Fundamental of Democracy". In: Oyugi W. (Ed) Democracy, Theory and Practice in Africa. Nien-mann and James Curry, Portsmouth.
- Ahire, T.P (1985) "Policing Colonization. The Emergence and Role of Police in Colonial Nigeria, 1860-1960". Ph. D dissertation unpublished. Institute of Criminology, University of Cambridge, Cambridge.
- (1989a) "Rethinking Crime in Nigeria Society, in Search of New Bottles for Old Wine". Unpublished manuscript. Ahmadu Bello University, Zaria.
- (1989b) Imperial Policing. The Emergence and Role of Police in Colonial Nigeria, 1860-1960. Open University Press, Milton Keynes, England.
- Alderson, J.C. (1975) "People, government and police". In: Brown, J and News, D. (Eds) The Police and the Community. Salton, England.
- Alemika, E.E.O (1990) "Criminality and rehabilitation of offenders". Paper presented at the National Seminar In Administration of Criminal Justice, Department and Public Law, University of Lagos. 11-14 September.
- (1991) "Policing Contemporary Nigeria, Problems and Prospects". Paper presented at the Commissioner of Police Conference. Police Staff College, Jos. 23rd July.
- (1992a) "Police Organisation, Functions and Powers, in Nigeria" (Unpublished manuscript). Department of Sociology, University of Jos, Jos, Nigeria.
- (1992b) "Police Force and Prospect for Political Stability in Nigeria" (Unpublished manuscript), Department of Sociology, University of Jos, Jos, Nigeria.
- (1993) "Criminology and philosophy of policing". Invited paper presented to the Panel on policing Nigeria project. In: Tamuno, T. et al. (Eds) Policing Nigeria

# APPENDIX - 1

## OFFENDER'S INTERVIEW SCHEDULE

THE CONTENTS OF THIS FORM ARE ABSOLUTELY CONFIDENTIAL INFORMATION. IDENTIFYING THE RESPONDENT WILL NOT BE DISCLOSED UNDER ANY CIRCUMSTANCES. PLEASE TICK ANY OF THE POSITIONS IN EACH STATEMENT WITH WHICH YOU AGREE OR DISAGREE

### SECTION 1: INFORMATION RELATING TO ARREST

---

1. For What Offence(s) Were You Arrested By The Police?
- |                          |     |   |                          |
|--------------------------|-----|---|--------------------------|
| <input type="checkbox"/> | 1.  | Caught in the act of committing offence | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Abetment                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Nuisance                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Culpable                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Wrongful restraint                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Assault                                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Kidnapping                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Rape                                    | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Theft                                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Robbery                                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 11. | Brigandage                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 12. | Cheating                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 13. | Mischief                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 14. | Criminal conspiracy                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 15. | Gratification                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 16. | False information                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 17. | Screening offender                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 18. | Extortion                               | <input type="checkbox"/> |
| <input type="checkbox"/> | 19. | Forgery                                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 20. | Defamation                              | <input type="checkbox"/> |
- 
2. How Was The Information On The Offence Brought To The Knowledge Of The Police
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Offence observed directly by the police      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Citizen report                               | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Witness report                               | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Victims report                               | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Police informant report                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Vigilante group report                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Testimony of accused person on interrogation | <input type="checkbox"/> |
-

- 
3. What Is The Composition Of The Patrol Team That Effected The Arrest
- |                          |    |       |                          |
|--------------------------|----|-------|--------------------------|
| <input type="checkbox"/> | 1. | One   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Two   | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Three | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Four  | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Five  | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Six   | <input type="checkbox"/> |
- 

4. What Was The Nature Of Arrest Employed By The Police
- |                          |     |                                |                          |
|--------------------------|-----|--------------------------------|--------------------------|
| <input type="checkbox"/> | 1.  | No force applied               | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Slapped                        | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Beaten with baton              | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Handcuffed/ledcuffed           | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Tear-gassed                    | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Threatened with gun            | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Extorted                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Beaten and extorted            | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Subjected to inhuman treatment | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Others (specify) -----         | <input type="checkbox"/> |
- 

5. What Was The Subsequent Outcome Of Your Arrest By The Police
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Taking to the nearest police station   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Cautioned and released                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Rough-handled and released             | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Threatened and extorted                | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Rough-handled, extorted and detained   | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Detained indefinitely at site of crime | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Release secured by bribing police      | <input type="checkbox"/> |
- 

6. By Your Assessment, Which Of The Procedural Laws Governing Arrest Did The Police Violate
- |                          |     |  |                          |
|--------------------------|-----|--|--------------------------|
| <input type="checkbox"/> | 1.  | Ignorant of such procedural laws   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Failure to inform suspect reason for arrest                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Detaining suspect longer than necessary                                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Subjecting suspect to torture in order to secure arrest                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Failure to make contact with the suspect before enforcing arrest             | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Failure to caution suspect before obtaining information during interrogation | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Failure to comply with guidelines of the judges rule                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Failure to consider release on flimsy accusations                            | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Failure to allow suspect make contact with a lawyer                          | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Failure to allow suspect to make contact with relatives                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 11. | Others (specify) -----   | <input type="checkbox"/> |
-

7. Generally, How Would You Rate The Police Method Of Effecting Arrest
- 1. Very favourable
  - 2. Favourable
  - 3. Undecided
  - 4. Unfavourable
  - 5. Very unfavourable
- 

8. How Responsive Would You Rate The Police To Distress Call
- 1. Very responsive
  - 2. Responsive
  - 3. Undecided
  - 4. Unresponsive
  - 5. Very unresponsive
- 

9. What Was The Duration Between Police Arrest And Interrogation Of The Subject
- 1. Immediately on arrival at police station
  - 2. 12 - 24 hours of arrest
  - 3. 2 - 5 days of arrest
  - 4. 6 - 8 days of arrest
  - 5. 2 - 3 weeks of arrest
  - 6. Above 4 weeks of arrest
- 

10. How Would You Classify The Police Interrogation Procedure In Compliance To The Offenders Right
- 1. Failure to inform reason for arrest
  - 2. Failure to administer charge and cautionary words before obtaining statement
  - 3. Statement obtained under duress
  - 4. Detained for more than 48 hours before charging to court
  - 5. Refusal to grant bail for bailable offence
  - 6. Statement written by police and forced to endorse
  - 7. Promise of release made by police to influence evidence
  - 8. Confessional statement falsified
  - 9. Denial of legal representation
  - 10. Denial to contact relative
  - 11. Charge on FIR not related to actual offence committed
  - 12. Denial of medical facility
- 

11. In General What Is Your View About Police Interrogation Procedure
- 1. Very brutal and dehumanizing
  - 2. Not guided by any known law
  - 3. Statement during interrogation falsified to obtain high conviction rate
  - 4. Violates legal procedures stipulated by criminal law
  - 5. Oath administered in obtaining confessional

- statement [ ]
- [ ] 6. Informant reports not verified by police visitation to site of crime before effecting arrest [ ]
- [ ] 7. Method of interrogation dependent on socio-economic status of suspect [ ]
- 

12. What Aspect Of Police Law Enforcement Operations Do You Find Detestable

- [ ] 1. Method of arrest [ ]
- [ ] 2. Method of interrogation [ ]
- [ ] 3. Use of vulgar and insulting language [ ]
- [ ] 4. Method of dressing [ ]
- [ ] 5. Disregard for fundamental human right of the suspect [ ]
- [ ] 6. Lack courtesy [ ]
- [ ] 7. Uncontrolled behaviour of the street level police officer [ ]
- 

13. How Best Can Police Law Enforcement Behaviour Be Reviewed To Conform With Public Acceptable Standards

- [ ] 1. Appointment of external body to monitor and handle all cases of police misbehaviour [ ]
- [ ] 2. Directing Ombudsman to regulate police behaviours [ ]
- [ ] 3. Localizing policing operations on local government [ ]
- [ ] 4. Bringing police operating under state government control [ ]
- [ ] 5. Total abrogation of the present police force [ ]
- [ ] 6. Relegating police function to the military [ ]
-

## SECTION 2: INFORMATION RELATING TO THE VISIBILITY OF POLICE ACTIONS

---

14. How Would You Classify The Behaviour Of Police During Arrest

- |                          |    |               |                          |
|--------------------------|----|---------------|--------------------------|
| <input type="checkbox"/> | 1. | Very friendly | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Friendly      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Uncertain     | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Hostile       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very hostile  | <input type="checkbox"/> |
- 

15. To What Extent Does Prejudice Of Police Officer Influence His Propensity To Arrest

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Moderate extent   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Some extent       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | No extent         | <input type="checkbox"/> |
- 

16. How Would You Rate Police Personal Attitude On Official Police Policy Of Arrest

- |                          |    |               |                          |
|--------------------------|----|---------------|--------------------------|
| <input type="checkbox"/> | 1. | Very Positive | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Positive      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Neutral       | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Negative      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very negative | <input type="checkbox"/> |
- 

17. Which Of The Following Factors Influence Police Personal Attitude To Effect Arrest

- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Personal description                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Official police decision                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Character of offender                    | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Community values                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Seriousness of offence                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Circumstances in which action took place | <input type="checkbox"/> |
- 

18. To What Extent Is Police Initiated Enforcement Activity Complied By Rule Of Law

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Moderate extent   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Some extent       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | No extent         | <input type="checkbox"/> |
- 

19. To What Extent Is PPublic Initiated Enforcement Activity Complied By Rule Of Law

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Moderate extent   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Some extent       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | No extent         | <input type="checkbox"/> |
-

20. To What Extent Is Goal Displacement Of Policing Objectives By Subordinates Due To Poor Visibility Of The Criminal Law
- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Moderate extent   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Some extent       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | No extent         | <input type="checkbox"/> |
- 

21. What Effect Does Group Patrolling In Enforcement Duties Have On Arrest Outcomes
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Evokes organization norms                                    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Impersonality in the manner of arrest                        | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Officers adhere more to personal inclination                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Arrest decision attributed to particular officer in the team | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Others (specify) -----                                       | <input type="checkbox"/> |
- 

22. How Would You Rate The Policeman Visibility To The Criminal Law When Police Patrol Singly In Enforcement Duties
- |                          |    |           |                          |
|--------------------------|----|-----------|--------------------------|
| <input type="checkbox"/> | 1. | Very low  | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Low       | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Uncertain | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | High      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very high | <input type="checkbox"/> |
- 

23. How Would You Rate The Policeman Visibility To The Criminal Law When Police Patrol In Teams For Enforcement Duties
- |                          |    |           |                          |
|--------------------------|----|-----------|--------------------------|
| <input type="checkbox"/> | 1. | Very low  | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Low       | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Uncertain | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | High      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very high | <input type="checkbox"/> |
-

**SECTION 3: NOW TO HELP US CLASSIFY YOUR ANSWER AND TO MAKE OUR STATISTICAL COMPARISON, WOULD YOU MIND TELLING US**

24. Age Of Respondent At The Year Ending 1998
- |                          |    |                  |                          |
|--------------------------|----|------------------|--------------------------|
| <input type="checkbox"/> | 1. | Below 18 yrs     | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | 18 - 24 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | 25 - 34 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | 35 - 44 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | 45 - 45 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | 55 yrs and above | <input type="checkbox"/> |

25. Sex Of Respondent
- |                          |    |        |                          |
|--------------------------|----|--------|--------------------------|
| <input type="checkbox"/> | 1. | Male   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Female | <input type="checkbox"/> |

26. Marital Status Of Respondent
- |                          |    |                        |                          |
|--------------------------|----|------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Single                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Married                | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Widowed                | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Separated/Divorced     | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Others (specify) ----- | <input type="checkbox"/> |

- 27.
- |                          |    |                       |                          |
|--------------------------|----|-----------------------|--------------------------|
| <input type="checkbox"/> | 1. | Islami                | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Christianity          | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Traditional           | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | None                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Other (specify) ----- | <input type="checkbox"/> |

28. Educationally, What Is The Highest Level That You Have Attained
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | No formal education                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Koranic                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Primary school certificate               | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Secondary school/Trade certificate/TC II | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Diploma/NCE                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Degree                                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Others (specify) -----                   | <input type="checkbox"/> |

29. Which Occupational Category Best Describe The Kind Of Work You Currently Do
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Skilled or professional workers, such as Manager, Bank Executives, Chief Executives, Directors, etc.   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Technical workers such as draughtman, driver, machine operators, laboratory technicians, photographer. | <input type="checkbox"/> |



- |                          |    |   |                          |
|--------------------------|----|---|--------------------------|
| <input type="checkbox"/> | 3. | Clerical or kindred workers such as labourers, messengerial duties, sales clerks, cashier, etc. | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Unemployed category as students, apprentice, retired workers, housewife                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Self-employed workers as contractors, tradesmen   | <input type="checkbox"/> |
- 

30. How Would You Evaluate Your Socio-Economic Status Within The Nigerian Context Of Standard Of Living

- |                          |    |                |                          |
|--------------------------|----|----------------|--------------------------|
| <input type="checkbox"/> | 1. | Very high      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Generally high | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Low            | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very low       | <input type="checkbox"/> |
-

## APPENDIX 2

### POLICE OFFICERS' INTERVIEW SCHEDULE

PLEASE CONFIDE ON THE RESPONDENTS THAT THE CONTENT OF THIS INTERVIEW SCHEDULE ARE ABSOLUTELY CONFIDENTIAL. INFORMATION IDENTIFYING THE RESPONDENT WILL NOT BE DISCLOSED UNDER ANY CIRCUMSTANCES. PLEASE TICK ANY OF THE POSITIONS IN EACH STATEMENT WHICH AGREE OR DISAGREE WITH THE RESPONDENTS VIEW/OBSERVATIONS

---

1. Research Location Of Respondent \_\_\_\_\_ [ ]

---

2. Research Location Of Respondent \_\_\_\_\_ [ ]

---

3. Age Of Respondent At The Year Ending 1998

- |     |    |                  |     |
|-----|----|------------------|-----|
| [ ] | 1. | Below 18 yrs     | [ ] |
| [ ] | 2. | 18 - 24 yrs      | [ ] |
| [ ] | 3. | 25 - 34 yrs      | [ ] |
| [ ] | 4. | 35 - 44 yrs      | [ ] |
| [ ] | 5. | 45 - 45 yrs      | [ ] |
| [ ] | 6. | 55 yrs and above | [ ] |

---

4. Sex Of Respondent

- |     |    |        |     |
|-----|----|--------|-----|
| [ ] | 1. | Male   | [ ] |
| [ ] | 2. | Female | [ ] |

---

5. Marital Status Of Respondent

- |     |    |                        |     |
|-----|----|------------------------|-----|
| [ ] | 1. | Single                 | [ ] |
| [ ] | 2. | Married                | [ ] |
| [ ] | 3. | Widowed                | [ ] |
| [ ] | 4. | Separated/Divorced     | [ ] |
| [ ] | 5. | Others (specify) ----- | [ ] |

---

6. Religion of Respondent

- |     |    |                       |     |
|-----|----|-----------------------|-----|
| [ ] | 1. | Islam                 | [ ] |
| [ ] | 2. | Christianity          | [ ] |
| [ ] | 3. | Traditional           | [ ] |
| [ ] | 4. | None                  | [ ] |
| [ ] | 5. | Other (specify) ----- | [ ] |
-

- 
7. Educationally, What Is The Highest Level That You Have Attained
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | No formal education                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Koranic                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Primary school certificate               | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Secondary school/Trade certificate/TC II | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Diploma/NCE                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Degree                                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Others (specify) -----                   | <input type="checkbox"/> |
- 

8. Which Rank Category Does The Respondent Belong To In The Nigeria Police Force Structure
- |                          |     |  |                          |
|--------------------------|-----|--|--------------------------|
| <input type="checkbox"/> | 1.  | Police constable (Pc)                    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Corporal (Cpl)                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Sergent/Sergent Major (Sgt)              | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Inspector (Insp)                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Assistant Superintendent of Police (Asp) | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Deputy Superintendent of Police (Dsp)    | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Superintendent of Police (Sp)            | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Chief Superintendent of Police (Csp)     | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Assistant Commissioner of Police         | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Deputy Commissioner of Police            | <input type="checkbox"/> |
| <input type="checkbox"/> | 11. | Commissioner of Police                   | <input type="checkbox"/> |
- 

9. What Is The Length Of Service Of The Respondent With The Police Force In The Year Ending 1998?
- |                          |    |                  |                          |
|--------------------------|----|------------------|--------------------------|
| <input type="checkbox"/> | 1. | Below 5 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | 5 - 10 yrs       | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | 11 - 15 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | 16 - 20 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | 21 - 25 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | 26 - 30 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | 31 - 35 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 8. | 36 yrs and above | <input type="checkbox"/> |
- 

10. What Is The Nature Of The Law Enforcement Patrol System In Which You Are Involved Presently
- |                          |    |                                 |                          |
|--------------------------|----|---------------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Motorized patrol system         | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Static road block patrol system | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Suspect squad patrol team       | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Intervention or standby team    | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Charge-room duty officers       | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others (specify) -----          | <input type="checkbox"/> |
- 

11. For How Long Has The Respondent Served In His Present Law Enforcement Duties
- |                          |    |             |                          |
|--------------------------|----|-------------|--------------------------|
| <input type="checkbox"/> | 1. | Below 5 yrs | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | 5 - 10 yrs  | <input type="checkbox"/> |

- |                          |    |                  |                          |
|--------------------------|----|------------------|--------------------------|
| <input type="checkbox"/> | 3. | 11 - 15 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | 16 - 20 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | 21 - 25 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | 26 - 30 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | 31 - 35 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 8. | 36 yrs and above | <input type="checkbox"/> |
- 

12. Ethnicity Of Respondent

- |                          |    |                                 |                          |
|--------------------------|----|---------------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Hausa                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Ibo                             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Yoruba                          | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Northern minority ethnic groups | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Southern minority ethnic groups | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others (specify) -----          | <input type="checkbox"/> |
- 

13. How Would You Evaluate The Socio-Economic Status Of The Respondent Within The Context Of Standard Of Living In Nigeria

- |                          |    |                |                          |
|--------------------------|----|----------------|--------------------------|
| <input type="checkbox"/> | 1. | Very high      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Generally high | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Generally low  | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very low       | <input type="checkbox"/> |
-

**SECTION 2:****OFFENCE RELATED INFORMATION****14. What Facilities Are Available To You In Achieving Full Compliance Of The Law**

- |                          |    |                            |                          |
|--------------------------|----|----------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Cautionary warning         | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Arrested                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Rough handling and torture | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Detention                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Fine option                | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | None                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | All of the above           | <input type="checkbox"/> |
| <input type="checkbox"/> | 8. | Others (specify) -----     | <input type="checkbox"/> |

**15. Which Of These Categories Of Crime Scenes Would You Effect Immediate Arrest Of The Offender**

- |                          |     |   |                          |
|--------------------------|-----|---|--------------------------|
| <input type="checkbox"/> | 1.  | Person caught in the act of commission of offence       | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Person seen with property suspected to be stolen        | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Any person reasonably suspected by the police           | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Any person obstructing the police from effecting arrest | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Abetment  | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Criminal conspiracy                                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Unlawful assembly                                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Disturbance of public peace                             | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Gratification   | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Fabrication of false evidence                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 11. | Fraudulence   | <input type="checkbox"/> |
| <input type="checkbox"/> | 12. | Public nuisance   | <input type="checkbox"/> |
| <input type="checkbox"/> | 13. | Loitering and gambling                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 14. | Insulting or inciting contempt of religious             | <input type="checkbox"/> |
| <input type="checkbox"/> | 15. | Culpable homicide                                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 16. | Attempting suicide                                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 17. | Cruelty to children                                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 18. | Greivous hurt   | <input type="checkbox"/> |
| <input type="checkbox"/> | 19. | Wrongful restraint and confinement                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 20. | Criminal force  | <input type="checkbox"/> |
| <input type="checkbox"/> | 21. | Assault   | <input type="checkbox"/> |
| <input type="checkbox"/> | 22. | Kidnapping  | <input type="checkbox"/> |
| <input type="checkbox"/> | 23. | Rape and indecent offences                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 24. | Theft   | <input type="checkbox"/> |
| <input type="checkbox"/> | 25. | Extortion   | <input type="checkbox"/> |
| <input type="checkbox"/> | 26. | Robbery and brigandage                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 27. | Criminal misappropriation                               | <input type="checkbox"/> |
| <input type="checkbox"/> | 28. | Criminal breach of trust                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 29. | Cheating  | <input type="checkbox"/> |
| <input type="checkbox"/> | 30. | Mischief  | <input type="checkbox"/> |
| <input type="checkbox"/> | 31. | Criminal trespass                                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 32. | Traffic offences  | <input type="checkbox"/> |

- 
16. What Factors Influence Police Propensity To Arrest Suspects On Infraction Of The Law
- |                          |    |                                      |                          |
|--------------------------|----|--------------------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Racial attitude                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Nature of the offence                | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Gender of the suspect                | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Seriousness of the offence           | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Socio-economic status of the suspect | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Political consideration              | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Religious bias                       | <input type="checkbox"/> |
| <input type="checkbox"/> | 8. | Character of the offender            | <input type="checkbox"/> |
- 

17. When Confronted With The Issue Of Arresting Or Interrogating A Suspect, What Do You Do?
- |                          |    |   |                          |
|--------------------------|----|---|--------------------------|
| <input type="checkbox"/> | 1. | Explore the situation thoroughly and invoke the law after careful preparation                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Personalizes police work by playing on the personal compulsion of the citizen                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Recognizes criminals virtually and do not hesitate to apply the law in all instances of violation | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Believes that police duty is to see that the order of the community as not disturbed              | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | For other reasons not specified   | <input type="checkbox"/> |
- 

18. After Effecting Arrest What Other Actions Were Taken By The Police
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Arrested person subjected to restraint to prevent flight                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Taking to the police station without unnecessary delay                             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Subject rough handled to prevent his escape  | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Suspect handcuffed or leg-cuffed   | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Subject released because offence is not within police enforcement offence schedule | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Suspect offered option of fine/bribe to regain freedom                             | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Others (specify) -----   | <input type="checkbox"/> |
- 

19. When Offenders Are Normally Charged How Is The Charge On Their First Information Report (FIR) Prepared
- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Report prepared to reflect to offence committed                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Offence readjusted to justify police action                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Charge with different offence to lessen severity of punishment   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Charge into different offence to increase severity of punishment | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Offence falsified to incriminate suspect                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others (specify) -----   | <input type="checkbox"/> |
-

---

20. In The Right Of Police Obligation To Offender's Rights Which Of The Following Rules Was Complied With During Interrogation

- |                          |     |  |                          |
|--------------------------|-----|--|--------------------------|
| <input type="checkbox"/> | 1.  | Inform suspect the reason for his arrest   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Arrested person not subjected to restraint than is necessary to prevent his escape | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Taking suspect to station without unnecessary delay                                | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Not detaining suspects arrested without warrant for more than 48 hours             | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Suspect empowered to call witnesses  | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Statements should not be obtained under duress                                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Releasing suspects when public interest is not served by prosecution               | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Denial of legal representative to suspects   | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Administering caution before obtaining statement                                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Others (specify) -----   | <input type="checkbox"/> |

---

21. What Methods Were Applied By The Police During Interrogation In Obtaining Offender's Statement

- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Record only statements volunteered by suspect  | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Statement coerced from suspect by torture  | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Administration of oath before obtaining statement  | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Mode of interrogation dependent on socio-economic status of suspects   | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Causing photograph, fingerprint or measurement of suspect to be taken in furtherance of the purpose of the trial | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Causing court to authorize remark of suspect in police custody for long periods                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Executing search warrants without court permit   | <input type="checkbox"/> |
| <input type="checkbox"/> | 8. | Others (specify) -----   | <input type="checkbox"/> |

---

22. What Factors Are Responsible For The Police Public Image

- |                          |    |   |                          |
|--------------------------|----|---|--------------------------|
| <input type="checkbox"/> | 1. | General attitude of the police                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Attitude of the rank and file police officers to the public | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Government intervention in policing policies                | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Disrespect for fundamental human right in police operations | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Power abuse by the police                                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Colonial evolution of police services in Nigeria            | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Clamour for local control of the police                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 8. | Obnoxious police culture                                    | <input type="checkbox"/> |
-

23. What Manner Of Arrest Will You Necessarily Employ For The Following Categories Of Offences?

Categories of Offences and Manner of Arrest Employed								
S/No		Invitation to Police Station	Slapped	Beaten with Baton	Hand-cuffed	Tear-gassed	Utilized firearm	Others
1.	Caught committing offence							
2.	In possession of stolen goods							
3.	Abetment							
4.	Criminal conspiracy							
5.	Unlawful assembly							
6.	Fraud							
7.	Loitering							
8.	Greivous hurt							
9.	Assault							
10.	Rape							
11.	Theft							
12.	Extortion							
13.	Robbery							
14.	Prostitution							
15.	Resisting arrest							
16.	Obstructing traffic							
17.	Cheating							
18.	Mischief							
19.	Screening offender							
20.	Attempting suicide							
21.	Gratification							
22.	Corruption							



---

24. Under What Circumstances Would You Release A Suspect Without Taking Him/Her To The Station For Interrogation And Documentation?

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25. What Factors Influence Your Decision To Effect Release Of Suspects?

- |                          |     |  |                          |
|--------------------------|-----|--|--------------------------|
| <input type="checkbox"/> | 1.  | Willingness of suspect to extortion      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | The law violated is obsolete             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Not convinced alleged offender is guilty | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Offender is police informant             | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Personal compassion                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Gender of suspect                        | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Suspect's explanation satisfactory       | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Triviality of the law violated           | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Arrest procedures tedious and cumbersome | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | Others (specify) -----                   | <input type="checkbox"/> |

---

26. In Effecting Arrest Which Of These Rules Of Law Do You Observe?

- |                          |     |  |                          |
|--------------------------|-----|--|--------------------------|
| <input type="checkbox"/> | 1.  | Right to life                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.  | Right to dignity of human person           | <input type="checkbox"/> |
| <input type="checkbox"/> | 3.  | Right to liberty                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 4.  | Right to privacy                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 5.  | Right to freedom of expression             | <input type="checkbox"/> |
| <input type="checkbox"/> | 6.  | Right to peaceful assembly and association | <input type="checkbox"/> |
| <input type="checkbox"/> | 7.  | Right to freedom of movement               | <input type="checkbox"/> |
| <input type="checkbox"/> | 8.  | Right to property                          | <input type="checkbox"/> |
| <input type="checkbox"/> | 9.  | Right to freedom from discrimination       | <input type="checkbox"/> |
| <input type="checkbox"/> | 10. | All of the above                           | <input type="checkbox"/> |
| <input type="checkbox"/> | 11. | None of the above                          | <input type="checkbox"/> |
-

**SECTION 3:****POLICE RULE COMPLIANCE SECTION**

PLEASE KINDLY CHARACTERIZE THE EXTENT TO WHICH THE LAWS GUIDING CONDUCT OF POLICE OFFICERS IN ENFORCEMENT DUTIES ARE COMPLIED WITH

S/N		Very great extent	Great extent	Moderate extent	Some extent	No extent
27.	To what extent is arrest based on legal provisions					
28.	To what extent are laws regarded as community standards					
29.	To what extent is uniform enforcement regarded as primary police responsibility					
30.	To what extent is police corruption attributable to personalized interpretation					
31.	To what extent does organizational arrangement affect expression of policing preferences					
32.	To what extent is police initiated enforcement activity complied by rule of law					
33.	To what extent is public initiated enforcement activities complied by rule of law					
34.	To what extent is corrupt practices involved					

**SECTION 4: AWARENESS CHECK ON PROCEDURAL INJUNCTIONS  
ON EXERCISE OF POLICE POWERS**

---

35. How Familiar Are You With The Procedural Requirements Imposed On The Police By The Court In Criminal Proceedings

- |                          |    |                 |                          |
|--------------------------|----|-----------------|--------------------------|
| <input type="checkbox"/> | 1. | Very familiar   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Familiar        | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Uncertain       | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Unfamiliar      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very unfamiliar | <input type="checkbox"/> |
- 

36. Rank These Procedural Constitutional Guarantee According To The Order Of Importance From Your Training Schedule

- |                          |    |                         |                          |
|--------------------------|----|-------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Fundamental human right | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Property law            | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Law of tort             | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Criminal law            | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Discretionary control   | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Police professionalism  | <input type="checkbox"/> |
- 

37. Which Of These Factors Would You Isolate As Causing Difficulty In Police Compliance With Rule Of Laws

- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Police training deficiency                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Lack of systematic transmission of legal ruling    | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Absence of communication of legal rules to police  | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Compliance in conflict with departmental ideology  | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Compliance in conflict with police personal values | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others (specify) -----                             | <input type="checkbox"/> |
- 

38. How Adequate Is The Police Training Programme For Law Enforcement Carrier

- |                          |    |                  |                          |
|--------------------------|----|------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very adequate    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Adequate         | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Cannot determine | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Inadequate       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very inadequate  | <input type="checkbox"/> |
- 

39. High Educational Attainment For Law Enforcement Officers Will Improve Their Responsiveness To Arrest Situation

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Strongly agree    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Agree             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided         | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Disagree          | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Strongly disagree | <input type="checkbox"/> |
-

---

40. To What Extent Is Loyalty Of Police Officers To Organizational Norms  
Ensured Through Training

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Cannot determine  | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Low extent        | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very low extent   | <input type="checkbox"/> |
- 

41. To What Extent Is The Police Department Sympathetic With Appellate Court  
Injunctions On Police Actions

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Cannot determine  | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Low extent        | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very low extent   | <input type="checkbox"/> |
-

# APPENDIX 3

## THE PUBLIC EVALUATION OF POLICE PERFORMANCE INTERVIEW SCHEDULE

THE CONTENT OF THIS FORM ARE ABSOLUTELY CONFIDENTIAL  
INFORMATION IDENTIFYING THE RESPONDENT WILL NOT BE  
DISCLOSED UNDER ANY CIRCUMSTANCES. PLEASE TICK ANY  
OF THE POSITION IN EACH STATEMENT WITH WHICH YOU  
AGREE OR DISAGREE

### SECTION 1: INFORMATION RELATING TO THE VISIBILITY OF POLICE ACTIONS

---

1. How Would You Classify The Behaviour Of Police Officers During Arrest

- |                          |    |               |                          |
|--------------------------|----|---------------|--------------------------|
| <input type="checkbox"/> | 1. | Very friendly | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Friendly      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Uncertain     | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Hostile       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very hostile  | <input type="checkbox"/> |
- 

2. To What Extent Does Prejudice Of Police Officers Influence His Propensity To Arrest

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very great extent | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Great extent      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Moderate extent   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Some extent       | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | No extent         | <input type="checkbox"/> |
- 

3. How Would You Rate Police Personal Attitude On Official Police Policy Of Arrest

- |                          |    |               |                          |
|--------------------------|----|---------------|--------------------------|
| <input type="checkbox"/> | 1. | Very positive | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Positive      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Neutral       | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Negative      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very negative | <input type="checkbox"/> |
- 

4. Which Of The Following Factors Influence Police Personal Attitude To Effect Arrest

- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Personal discretion                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Official police decision                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Character of offender                    | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Community value                          | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Seriousness of offence                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Circumstances in which action took place | <input type="checkbox"/> |
-

---

5. To What Extent Is Police Initiated Enforcement Activity Complied By Rule Of Law

<input type="checkbox"/>	1.	Very great extent	<input type="checkbox"/>
<input type="checkbox"/>	2.	Great extent	<input type="checkbox"/>
<input type="checkbox"/>	3.	Moderate extent	<input type="checkbox"/>
<input type="checkbox"/>	4.	Some extent	<input type="checkbox"/>
<input type="checkbox"/>	5.	No extent	<input type="checkbox"/>

---

6. To What Extent Is Public Initiated Enforcement Activity Complied By Rule Of Law

<input type="checkbox"/>	1.	Very great extent	<input type="checkbox"/>
<input type="checkbox"/>	2.	Great extent	<input type="checkbox"/>
<input type="checkbox"/>	3.	Moderate extent	<input type="checkbox"/>
<input type="checkbox"/>	4.	Some extent	<input type="checkbox"/>
<input type="checkbox"/>	5.	No extent	<input type="checkbox"/>

---

7. To What Extent Is Goal Displacement Of Policing Objectives By Subordinates Due To Poor Visibility Of The Criminal Law

<input type="checkbox"/>	1.	Very great extent	<input type="checkbox"/>
<input type="checkbox"/>	2.	Great extent	<input type="checkbox"/>
<input type="checkbox"/>	3.	Moderate extent	<input type="checkbox"/>
<input type="checkbox"/>	4.	Some extent	<input type="checkbox"/>
<input type="checkbox"/>	5.	No extent	<input type="checkbox"/>

---

8. What Effect Does Group Patrolling In Enforcement Duties Have On Arrest Outcomes

<input type="checkbox"/>	1.	Evokes organizational norms	<input type="checkbox"/>
<input type="checkbox"/>	2.	Impersonality in the manner of arrest	<input type="checkbox"/>
<input type="checkbox"/>	3.	Officers adhere more to personal inclination	<input type="checkbox"/>
<input type="checkbox"/>	4.	Arrest decision attributed to particular officer in the team	<input type="checkbox"/>
<input type="checkbox"/>	5.	Others (specify) -----	<input type="checkbox"/>

---

9. How Would You Rate The Policeman Visibility To The Criminal Law When Police Patrol Singly In Enforcement Duties

<input type="checkbox"/>	1.	Very low	<input type="checkbox"/>
<input type="checkbox"/>	2.	Low	<input type="checkbox"/>
<input type="checkbox"/>	3.	Uncertain	<input type="checkbox"/>
<input type="checkbox"/>	4.	High	<input type="checkbox"/>
<input type="checkbox"/>	5.	Very high	<input type="checkbox"/>

---

10. How Would You Rate The Policeman Visibility To The Criminal Law When Police Patrol In Teams For Enforcement Duties

<input type="checkbox"/>	1.	Very low	<input type="checkbox"/>
<input type="checkbox"/>	2.	Low	<input type="checkbox"/>
<input type="checkbox"/>	3.	Uncertain	<input type="checkbox"/>
<input type="checkbox"/>	4.	High	<input type="checkbox"/>
<input type="checkbox"/>	5.	Very high	<input type="checkbox"/>

---

- 
11. What Circumstances Promote Corrupt Practices In Police Enforcement Duties
- |                          |    |                    |                          |
|--------------------------|----|--------------------|--------------------------|
| <input type="checkbox"/> | 1. | Operating single   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Operating in group | <input type="checkbox"/> |
-

**SECTION 2: AWARENESS CHECK ON PROCEDURAL INJUNCTIONS OF POLICE POWERS**

---

12. How Familiar Is The Police With Procedural Requirements Imposed On Them By The Court In Criminal Procedure
- |                          |    |                    |                          |
|--------------------------|----|--------------------|--------------------------|
| <input type="checkbox"/> | 1. | Very familiar      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Generally familiar | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Cannot determine   | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Unfamiliar         | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very unfamiliar    | <input type="checkbox"/> |
- 

13. Rank These Procedural Guarantee According To The Order Of Their Expression In Police Behaviours
- |                          |    |                         |                          |
|--------------------------|----|-------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Fundamental human right | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Property law            | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Law of tort             | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Criminal law            | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Discretionary control   | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Police professionalism  | <input type="checkbox"/> |
- 

14. Which Of These Factors Facilitate Police Rule Compliance
- |                          |    |   |                          |
|--------------------------|----|---|--------------------------|
| <input type="checkbox"/> | 1. | Police training deficiency  | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Lack of horizontal communication between the court and the police | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Lack of systematic transmission of legal rule                     | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Compliance in conflict with department ideology                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Compliance in conflict with individual police value               | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others(specify.....)  | <input type="checkbox"/> |
- 

15. High Educational Attainment For Enforcement Officers Will Improve Their Responsiveness To Arrest Situations
- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Strongly agree    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Agree             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided         | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Disagree          | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Strongly disagree | <input type="checkbox"/> |
- 

16. Adequate Remedial Avenues Exist For Public Complaints Against The Police
- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Strongly agree    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Agree             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided         | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Disagree          | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Strongly disagree | <input type="checkbox"/> |
-



---

17. Police Department Are Very Sympathetic With Appellate Court Injunctions On Police Actions

- |                          |    |                   |                          |
|--------------------------|----|-------------------|--------------------------|
| <input type="checkbox"/> | 1. | Strongly agree    | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Agree             | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided         | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Disagree          | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Strongly disagree | <input type="checkbox"/> |
-

**SECTION 3: PUBLIC PERCEPTION OF POLICE MANNER OF ARREST AND INTERROGATION OF SUSPECTS**

PLEASE WOULD YOU KINDLY CHARACTERIZE YOUR PERCEPTION OF POLICE ARREST METHOD AND MANNER OF INTERROGATION IN ORDER TO GAUGE SATISFACTION WITH CONTACT

S/N	Question Item	Respectful and polite behaviour	Good humoured, playful, jovial	Business-like, routine, impersonal	Brusque, bossy and authoritarian	Hostile, nasty, provocative
18.	Relationship to the public					
19.	Manner of policeman towards the citizens					
20.	Manner of exercise of police discretion					
21.	Police manner of taking suspects into custody					
22.	Police manner of interrogating suspects within police custody					
23.	Police manner of treating arrested persons					

24. What Criteria Did You Employ In Evaluating The Police
- |                          |    |                           |                          |
|--------------------------|----|---------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Ethnic sentiment          | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Religious bias            | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Socio-economic status     | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Victimization rate        | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Professional dispositions | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others (specify) -----    | <input type="checkbox"/> |

**SECTION 4: NOW TO HELP CLASSIFY YOUR ANSWER AND TO MAKE OUR STATISTICAL COMPARISON, WOULD YOU MIND TELLING US**

29. Age Of Respondent At The Year Ending 1998

- |                          |    |                  |                          |
|--------------------------|----|------------------|--------------------------|
| <input type="checkbox"/> | 1. | Below 18 yrs     | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | 18 - 24 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | 25 - 34 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | 35 - 44 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | 45 - 45 yrs      | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | 55 yrs and above | <input type="checkbox"/> |

30. Sex Of Respondent

- |                          |    |        |                          |
|--------------------------|----|--------|--------------------------|
| <input type="checkbox"/> | 1. | Male   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Female | <input type="checkbox"/> |

31. Marital Status Of Respondent

- |                          |    |                        |                          |
|--------------------------|----|------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Single                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Married                | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Widowed                | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Separated/Divorced     | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Others (specify) ----- | <input type="checkbox"/> |

32. Religion of Respondent

- |                          |    |                       |                          |
|--------------------------|----|-----------------------|--------------------------|
| <input type="checkbox"/> | 1. | Islam                 | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Christianity          | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Traditional           | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | None                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Other (specify) ----- | <input type="checkbox"/> |

33. Educationally, What Is The Highest Level That You Have Attained

- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | No formal education                      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Koranic                                  | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Primary school certificate               | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Secondary school/Trade certificate/TC II | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Diploma/NCE                              | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Degree                                   | <input type="checkbox"/> |
| <input type="checkbox"/> | 7. | Others (specify) -----                   | <input type="checkbox"/> |

34. Which Occupational Category Best Describe The Kind Of Work You Currently Do

- |                          |    |  |                          |
|--------------------------|----|--|--------------------------|
| <input type="checkbox"/> | 1. | Skilled or professional workers, such as Manager, Bank Executives, Chief Executives, Directors, etc.   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Technical workers such as draughtman, driver, machine operators, laboratory technicians, photographer. | <input type="checkbox"/> |

- |                          |    |   |                          |
|--------------------------|----|---|--------------------------|
| <input type="checkbox"/> | 3. | Clerical or kindred workers such as labourers, messengerial duties, sales clerks, cashier, etc. | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Unemployed category as students, apprentice, retired workers, housewife                         | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Self-employed workers as contractors, tradesmen   | <input type="checkbox"/> |
- 

35. How Would You Evaluate Your Socio-Economic Status Within The Nigerian Context Of Standard Of Living

- |                          |    |                |                          |
|--------------------------|----|----------------|--------------------------|
| <input type="checkbox"/> | 1. | Very high      | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Generally high | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Undecided      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Low            | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Very low       | <input type="checkbox"/> |
-

# APPENDIX 4

## FOCUS GROUP DISCUSSION (FGD) GUIDELINES

### A. Introduction

Social contract theory presupposes that the distribution of government services reflect a "consumer perspective" on the relationship between the populace and their government. This perspective draws attention to the equality in the distribution of public services. This discussion is focussed on policing in contemporary Nigeria, particularly, its method of arrest and interrogation, as one of the key services provided by government. This service is provided more or less on demand to all citizens aimed at dealing with finite sets of social problems.

Recognizing that the police perform many functions other than apprehension of offenders, this discussion attempts an attitudinal correlate of different types of police-citizen contact and the variation in the quality of services received by individuals who had made contact with the police. This is with a view to isolating sources of role conflict.

### B. Question Format

1. How can you evaluate police arrest method?
2. Which of this factors will you relate police arrest method to?
  - (i) police discretionary decision
  - (ii) police officers number of years in enforcement duties
  - (iii) status of the person involved
  - (iv) others
3. What informs the police officer to interrogate suspects after effecting arrest?
4. Is police interrogation influenced by the socioeconomic status (SES) of the suspect?
5. Is police interrogation influenced by the status of the offender's category?
6. What factors influence police discretion in instituting arrest or interrogating suspects?
7. Does the visibility of the police department influence police arrest method?
8. Is there any variation in arrest pattern between police initiated and public initiated arrest?
9. Does the visibility of a partner influence police arrest method?
10. What is the extent of police awareness to the statutory provisions of arrest and interrogation?
11. Does police awareness of statutory provisions of laws influence police rule compliance in arrest proceedings?
12. Does police awareness of statutory laws influence police rule compliance in interrogation

of suspects?

13. Does police awareness of statutory laws influence police rule compliance in enforcement of warrant offences?
14. What is the relationship between police rule compliance and police training?
15. How does the following factors influence police rule compliance on arrest?
  - (i) age of respondent
  - (ii) public non-reportage of offence to the police
  - (iii) victimization rate
  - (iv) income status of respondents
  - (v) police training
  - (vi) fear of crime and neighbourhood safety

## APPENDIX 5

### IN-DEPTH INTERVIEW (IDI) SCHEDULE FOR SELECTED KEY RESPONDENTS

THE CONTENTS OF THIS INTERVIEW SCHEDULE ARE ABSOLUTELY CONFIDENTIAL. INFORMATION IDENTIFYING THE RESPONDENT WILL NOT BE DISCLOSED UNDER ANY CIRCUMSTANCE. PLEASE INDICATE ANY POSITION IN EACH STATEMENT WHICH AGREES OR DISAGREES WITH YOUR VIEW.

1. Which of these occupational category do you belong to?
  - (i) Trial magistrate [ ]
  - (ii) Legal practitioner [ ]
  - (iii) Senior police officer [ ]
  - (iv) Prison officer [ ]
  - (v) Retired police officer [ ]
  - (vi) Community opinion leader [ ]
  - (vii) Educational staff in police college [ ]
  - (viii) Non-commissioned police officer [ ]
  
2. Age of respondent at year ending 2000
  - (i) Below 18 years [ ]
  - (ii) 18 - 24 years [ ]
  - (iii) 25 - 34 years [ ]
  - (iv) 35 - 44 years [ ]
  - (v) 45 - 54 years [ ]
  - (vi) 55 and above [ ]
  
3. Sex of respondent
  - (i) Male [ ]
  - (ii) Female [ ]
  
4. Educationally, what is the highest level that you have attained?
  - (i) No formal education [ ]
  - (ii) Koranic [ ]
  - (iii) Primary school certificate [ ]
  - (iv) Secondary school/Trade certificate/TCII [ ]
  - (v) Diploma/NCE [ ]
  - (vi) Degree [ ]
  - (vii) Others (specify) [ ]
  
5. How would you evaluate the present police operations in the country?  
Specify: \_\_\_\_\_  
\_\_\_\_\_
  
6. What factors influence police arrest behaviour?
  - (i) Socioeconomic status of respondent [ ]
  - (ii) Nature and seriousness of the crime [ ]
  - (iii) Nature of police patrol system [ ]
  - (iv) Racial attitude [ ]

- (v) Gender of the suspect [ ]
- (vi) Political consideration [ ]
- (vii) Religious bias [ ]
- (viii) Character of the offender [ ]
- (ix) Years of police officer in enforcement duties [ ]
- (x) Others (specify) [ ]
7. What factors influence police compliance to enforcement procedures of arrest and interrogation of suspects?
- (i) Police discretion [ ]
- (ii) Socioeconomic status of offenders [ ]
- (iii) Educational attainment of offenders [ ]
- (iv) Age of offenders [ ]
- (v) Others (specify) [ ]
8. To what extent is arrest/interrogation of offenders based on legal provisions?
- (i) Very great extent [ ]
- (ii) Great extent [ ]
- (iii) Moderate extent [ ]
- (iv) Some extent [ ]
- (v) Others (specify) [ ]
9. How familiar is the police officer with the procedural requirements of the rule of law?
- (i) Very familiar [ ]
- (ii) Familiar [ ]
- (iii) Uncertain [ ]
- (iv) Unfamiliar [ ]
- (v) Very unfamiliar [ ]
10. Which of these factors would you isolate as causing difficulty in police rule compliance?
- (i) Police training deficiency [ ]
- (ii) Lack of systematic transmission of legal instruction [ ]
- (iii) Absence of legal rules instructors in school [ ]
- (iv) Legal terms difficult for police understanding [ ]
- (v) Compliance in conflict with departmental ideas [ ]
- (vi) Compliance in conflict with police personal values [ ]
- (vii) Others (specify) [ ]
11. How adequate is police training programmes adequate for law enforcement carriers?
- (i) Very adequate [ ]
- (ii) Adequate [ ]
- (iii) Cannot determine [ ]
- (iv) Inadequate [ ]
- (v) Very inadequate [ ]
12. To what extent is loyalty of police officers to the police department ensured through training?
- (i) Very great extent [ ]
- (ii) Great extent [ ]
- (iii) Cannot determine [ ]
- (iv) Low extent [ ]
- (v) Very low extent [ ]



13. Please would you kindly characterize your perception of police arrest method and manner of interrogation in order to gauge satisfaction with contact

S/No	Question item	Respect-ful and polite behav-iour	Good humoured, playful, jovial	Business-like, routine, impersonal	Brusque, bossy and authorita-rian	Hostile, nasty, provoca-tive
i	Relationship to the public					
ii	Manner of policeman towards the citizens					
iii	Manner of exercise of police discretion					
iv	Manner of taking suspects into custody					
v	Police manner of interrogating suspects within police custody					
vi	Police manner of treating arrested persons					

14. What Criteria Did You Employ in Evaluating The Police?

- |                          |    |                           |                          |
|--------------------------|----|---------------------------|--------------------------|
| <input type="checkbox"/> | 1. | Ethnic sentiment          | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. | Religious bias            | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. | Socioeconomic status      | <input type="checkbox"/> |
| <input type="checkbox"/> | 4. | Victimization rate        | <input type="checkbox"/> |
| <input type="checkbox"/> | 5. | Professional dispositions | <input type="checkbox"/> |
| <input type="checkbox"/> | 6. | Others (specify) -----    | <input type="checkbox"/> |

**APPENDIX 6**

**A. INTERVIEWEE CONTACT LOG FOR OFFENDERS CATEGORY**

Job Title ..... Universe Size ..... Unit No. ....

Job Title ..... Sample Size ..... Page ..... Unit No. ....

Auditor .....

Random No.	Name of Respondent	Case No.	Offence arrest for by police	Duration of arrest/interrogation	Outcome of arrest/interrogation	Remarks

Note: Attach completed interview forms to these logs.

**B. INTERVIEWEE CONTACT LOG FOR NON-OFFENDERS CATEGORY**

Job Title ..... Universe Size ..... Unit No. ....

Job Title ..... Sample Size ..... Page ..... Unit No. ....

Auditor .....

Random No.	Name/ Address/ Phone No.	Case No.	Attempts to contact & results			
			Date & time	Result	Date & time	Result

Note: Attach completed interview forms to these logs.

C.

**THE NIGERIA POLLICE**

**STATEMENT OF WITNESS/ACCUSED\***

\_\_\_\_\_ Station \_\_\_\_\_ Province

Name \_\_\_\_\_ Nationality/Tribe \_\_\_\_\_

Age \_\_\_\_\_ Occupation \_\_\_\_\_ Religion \_\_\_\_\_

Address \_\_\_\_\_

(In the case of an accused person the formal caution will be given and the fact recorded here in manuscript)

[PTO]

Interpreted by me:

.....  
*Signature/Mark of Witness/Accused*

Signed .....

.....19.....

This statement was taken in the ..... language and read over and translated to  
the Accused/Witness ..... language in my presence and hearing.

Recorded by .....

.....19.....

Time taking of statement commenced.....

Time taking of statement completed .....

FGP/PWO 572/M 3243

## BIBLIOGRAPHY

- Adewusi, S. A. (1992) "The Police as an Organisation Management Challenges". Paper presented at Police Commissioners Training Week. Police Staff College Jos. February.
- Adeyemi, A. A. (1977) "The Problems of Criminal Justice System in Nigeria". In: Adeyemi A. (Ed) Nigeria Criminal Process. University Press, Lagos.
- Aduba J.N. (1999) "Judicial Interpretation of the Fundamental Human Right in Nigeria", being a paper presented on The Workshop for Law Enforcement Officers on Human Right and Law. Kaduna, 1999.
- Afrifa, K. G. (1988) "The Meaning and Fundamental of Democracy". In: Oyugi W. (Ed) Democracy, Theory and Practice in Africa. Nien-mann and James Curry, Portsmouth.
- Ahire, T.P (1985) "Policing Colonization. The Emergence and Role of Police in Colonial Nigeria, 1860-1960". Ph. D dissertation unpublished. Institute of Criminology, University of Cambridge, Cambridge.
- (1989a) "Rethinking Crime in Nigeria Society, in Search of New Bottles for Old Wine". Unpublished manuscript. Ahmadu Bello University, Zaria.
- (1989b) Imperial Policing. The Emergence and Role of Police in Colonial Nigeria, 1860-1960. Open University Press, Milton Keynes, England.
- Alderson, J.C. (1975) "People, government and police". In: Brown, J and News, D. (Eds) The Police and the Community. Salton, England.
- Alemika, E.E.O (1990) "Criminality and rehabilitation of offenders". Paper presented at the National Seminar In Administration of Criminal Justice, Department and Public Law, University of Lagos. 11-14 September.
- (1991) "Policing Contemporary Nigeria, Problems and Prospects". Paper presented at the Commissioner of Police Conference. Police Staff College, Jos. 23rd July.
- (1992a) "Police Organisation, Functions and Powers, in Nigeria" (Unpublished manuscript). Department of Sociology, University of Jos, Jos, Nigeria.
- (1992b) "Police Force and Prospect for Political Stability in Nigeria" (Unpublished manuscript), Department of Sociology, University of Jos, Jos, Nigeria.
- (1993) "Criminology and philosophy of policing". Invited paper presented to the Panel on policing Nigeria project. In: Tamuno, T. et al. (Eds) Policing Nigeria

Past, Present and Future. Malthouse Press Ltd, Lagos.

- Babbie, E (1989). The Practice of Social Research. Walsworth Publishing Company, California.
- Ball, A. R. (1979). "Authoritarian Organisation and the Corruption of Justice". In: Kultrie, J and Susman, P (Eds) Equality Morality and Ethics in Criminal Justice. Prague Publishing, New York.
- Bashir, I. L (1990) "Paper presented as welcome address on crime control in Nigeria by year 2000" by Centre for Development Studies, University of Jos, Jos November 26th-28th.
- (1992) "Socioeconomic Bases of Internal Insecurity in Nigeria". Lecture delivered at NIPSS, Kuru.
- (1993) "Towards an Effective Nigeria Police Force". Invited paper presented to the panel on policing Nigeria project in Tamuno, T. et al. (Eds) Policing Nigeria, Past, Present and Future. Malthouse Press Ltd., Lagos.
- Baxter, J and Koffman (1985) "Police, the Constitution and the Community". A collection of Essays and issues raised by The Police and Criminal Evidence Act. Professional Books Ltd.
- Bayley, D and Mendelson, H. (1969) Minorities and the Police. Free Press, New York.
- Becker, H et al (1992) "Participant observation and interviewing". In: Cuff, E.C and Payne, G. (Eds). Perspective in Sociology. Free Press, New York.
- Beckhard, R. (1969) Organisation Development, Strategies and Model. Massa-chussets, Leading Addison West.
- Bernard, C.I 1988) The Function of the Executive, Cambridge. Havard University press.
- Bent, A.E. (1974) The Politics of Law Enforcement, Conflicts and Powers in Urban Communities. Lexington books D.C. Health and company, London.
- Benthman, K. (1992) "A European Police Council" in Anderson M and Denboer M (Eds) European police cooperation. Edinburgh. University of Edinburgh press.
- Bercal, A.T (1970) Call for Police Assistance, Consumer Demand for Government Service. American Behvaioural scientist journal vol. 9.885.
- Bittner, E (1979) The Function of the Police in Modern Society, National Institute of Mental Health Centre for studies of criminal and delinquency. U.S. Government printing office, Pockrite M. I.

- Bordeau, U and Reiss A. (1967) "Environment and Organisation: A perspective on police" In: Bordeau, (Ed) The police. Six sociological Essay. John Wiley, New York.
- Britt, D. W. and Tittle, C.R. (1975) Crime Rate and Police Behaviour: A test of two hypothesis in social force. Random, New York.
- Brogden, M et al (1988) Introducing Police Works. Unwin Hyman, London.
- Burke, P.G. and Turk, A.T (1975) "Factors affecting post arrest disposition. A model for analysis in social process", cited in Johnstone and Saritz (Eds). Justice and correction. John Wiley, New York.
- Burrel, G. and Morgan G. (1979) Sociological Paradigms and Organisational Analysis. Hienmann, London.
- Caiden, G. and Hamm, F (1976) "Complaints against the police in Baker", R and Mayer, F. (Eds). Evaluating alternative law enforcement policies. Lexington Books, Massachussets.
- Cain, M.C (1973) Society and the Policeman's Role. Routledge and Kegan Paul, London.
- (1978) "Towards a political sociology of the English police, a review of the 1979 and 1980". Paper presented at the Conference of the Royal Council of Metropolitan Police, London.
- (1983) "The State and the place of law". In: Sugarman, D (Ed) Ideology, legality and the state. Academic press, London.
- Chambaliss, W. J (1974). "The state, the law and the definition of behaviour as criminal or delinquent". In: Glasser, D. (Ed) Handbook of criminology Rand McNally pub. Company, Chicago.
- (1975) "The Political Economy of Crime. A comparative study of Nigeria and U.S.A". In: Jack Young et al (eds). Critical criminalology. Routledge and Kegan Paul, London.
- Chukkol, K. S. 1980). "Ignorance and the criminal law in Nigeria". Journal of Islamic and Comparative Law. Vol 9. Ahmadu Bello University Press, Zaria.
- (1995) "Enforcement of judgement against public officers and institution" In: Ayua, I.A (Ed) Law, Justice and Nigeria society. Essays in honour of Hon. Justice Mohammed Bello National Institute of Advance Legal Studies, Lagos.
- Chwast, Jacob (1973). "Value conflict in law enforcement" In: Authur Hien-derffer and Abraham Blumberg (Eds) The Ambivalent Force. Reinehart press, San Francisco.



- Clark, J.P and Sykes, R.E. (1974) "Some determinants of police organisation and practice in modern industrial democracy" In: Glasser, D (Ed) Handbook of criminology. Rand McNally pub. Company, Chicago.
- Clarke Ronald and Hope Tim (1982) Coping with Burglary Research perspectives on policy. Klurner Nihoff publishing, Lancaster.
- Clifford, W (1974) An introduction to African criminology. Oxford University press, Nairobi.
- Clinnard, M.B. and Abbot D.J (1973) Crime in Developing countries: A comparative perspective. John Willey and Sons publishing, New York.
- Cohen P. (1981). "Policing the working class" In: Fitzgerald et al (Eds). Crime and society. Routledge and Kegan Paul, London.
- (1985) "Authority: The Limits of Discretion" In: Tellison and Felberg (Eds) Moral Issues. Hienmman, London.
- Coomassie, I. A (1990). "Discipline; superior police officers". Paper delivered at Area Commanders and Assistant Commissioners of Police Seminar held at police college Jos. 19-23 March.
- (1991) "Law, Religion and society, as a factor for stability in the third republic of Nigeria". Nigeria police Magazine June: pp 22-29. A paper presentation to the Nigeria Bar Association law Week. Ilorin.
- Dans, G.K. (1974). Domination and power in Guyana: a study of the police in third world context. Reviewed by Ahire, P.T. in International Journal of Law. Vol.15 op. Cit.
- Das, P. (1983) "Views on policing: An expamation". American Journal of Sociology. Vol. 3:51-81.
- David, J.E. and Reiss, A.J (1996) "Command, Control and Charisma: Reflection on police Bureaucracy". American journal of the sociology. Vol.22:174.
- Diog J. (1979) "The Search for Managerial Control: Lessons from the police World". In: Meyer, F.A and Baker, R (Eds) Determinants of law enforcement policies. Lexington Books, Massachusetts.
- Durkheim, E. (1938) The rules of sociological methods. Free Press, New York.
- (1964) "The Daulism of Human Nature and its sociological conditions" In: Wolff, K. H. (Eds) Essays in sociology and philosophy Free Press, New York.
- Ehrlich, J. (1975) The Deterrent Effect of capital punishment. American Eco-nomic Review. Vol. 65 June 397-417.

- Elliot, J. B. (1964) Socialism and Economic Development in Tropical African. Quarterly Journal of Economics. November: 549-573.
- Eze, O.C. (1993) "The Police, Rule of Law and Human Rights. A paper presented to the panel on policing Nigeria projects". In: Tamuno, T. (Eds) Policing Nigeria: Past, present and future. Malthouse press Ltd., Lagos.
- (1997) "Legal structure for the resolution of international problems in the domains of private foreign investments: A third world perspective". Law Journal Vol.9 Issues. 3.
- Fairchild, E.S (1979 "Organisational Structure and Control of Discretion in Police Operations". In: Meyer and Paker (Eds). Evaluating alternatives law enforcement policies. Lexington Books, Toronto.
- Foucault; M. (1965) "The subject and power" In: Dreyfus, H.L and Rainbow, P. (Eds) Micael Foucault: beyond structuralism and hermaneutics. Pengium books, Multhesex.
- (1977) Discipline and punish: The Birth of the prisons. Free Press, London.
- Freud, S, (1959) "Criminality from the sense of guilt". In: Reviere, J. (ed) Some character type met in psycho-analytical work. Clarendon paper back, New York.
- Gallie, W. R (1956) Essentially contested concepts. Proceedings of the Aristo-telian society vol. 56. November.
- Galiher, J. (1971) Explanation of police behaviour, A critical review and analysis. Sociological Quarterly. Vol. 12303-331.
- Gambo, M. (1982) Command and Control of the Nigeria Police and the Issue of Accountability. Paper presented in NIPBS, Jos.
- Gardinnet, A. J. (1983) "Problems in the use of evaluation in law enforcement and criminal justice". Law and society Review. Vol 2177-183.
- Garland, D. (1983) "Durkhiem's theory of punishment. A critique" In: P. Young (Ed). The power to punish. Routledge, London.
- (1985) "Politics and policy in criminological discourse: A study of tendencious reasoning and rhetorics". International journal of the sociology of law vol. 13. 1-3.
- and P. Young (Eds). The Power to Punish, Contemporary Penalty and Social Analysis. Routledge, London.
- (1990) Punishment and modern society: A study in social theory. Clarendon press, Oxford.

- Garmire, B. I (1972) "The Police and the Community" In: Strerdam, R. F. (Ed.) Police and the community. John Wiley, Baltimore.
- Green, T. A. (1985) Vedict according to conscience: prospectives on the English criminal trial Jury. American sociological journal, vol. 12120-128.
- Green, P. (1991) The enemy without: policing and class consciouess in miners strike. Open University press. Milton Keynes, Philadelphia.
- Gerth, H.H and Mills, C.W. (1958) From Max Weber. Essays in sociology. Oxford University press, New York.
- Giddens, A (1985) The Nation state and violence. Vol. II of "A contem-prorary critique of historical materialism. Oxford University Press, New York.
- (1987) Social theory and modern sociology. University press, Cambridge
- Goldstein, H. (1965) Police corruption: A perspective on its nature and control police foundation. Washington.
- (1967) Administrative problems in controlling the exercise of police authority. Journal of criminology and police science. opcit.
- Gyong, J.E (1994) "The neglect of victims of common crimes in Nigeria: The case of Kaduna State" (Unpublished Ph. D thesis), Ahmadu Bello University, Zaria.
- Hall, S. et al (1978) Policing the crisis. Macmillian, London.
- Hay, D. (1975a) Crime and society in eighteenth century England. Harmondsworth, Norwich Fitcher and Sons, England.
- (1975b) Property, authority and criminal law. Harmondsworth, London.
- Hoosvelt, A.M (1978) The sociology of developing society. Macmillian London.
- Hugh, W. (1990) "Beyond paradigmatic closure in organisational enquiry". In: Hassard, and Pyn, D. (Eds) The theory and philosophy of organisation. Routlege, London.
- Huslsman, L (1983) "State; civil Society and total institution: a critique of recent Histories of punishment". In: Cohen, S and Scull, A (Eds) Social control of the state. Oxford University press, Oxford.
- Ignatief, M. (1978) A just measure of pain: The penitentiary in the industrial revolution. Macmillian, London.
- Jackson, T. (1990) The case against paramilitary policing. Open University Press, Milton Keynes, England.

- James, M. (1987) The politics of transition in Latin America. University of Pittsburgh press, Pittsburgh.
- Jameson, D. (1979) "The search for management control: Lessons from the police world". In: Meyer, F. and Baker, R (Eds) Determinants of law enforcement policies. Lexington books, Massachussets.
- Jefferson, T. and Grimshaw, R. (1984) Controlling the constable. Muller/Cobben Trust, London.
- Jessop, B. (1991) Putting capitalism in their place. Polity press, Cambridge.
- Jeyewarddene, C. H. S (1980) "Policing in Developing countries". Paper presented at the International conference on crime and crime control in developing countries. University press, Ibadan.
- Johnson, T. L (1973) "The quality of Nigeria criminal statistic". The Nigeria Journal of Sociology and Anthropology, Vol.281-88
- Kayode, O. (1976) "Public expectation and police role concept". Dansanda, The Nigeria Police Journal. May 4-5.
- Kennedy, M. (1976) "Beyond incrimination; some neglected aspects of the theory of punishment". In: Chamberliss, W.J. and Mankoff, M. (Eds). Whose law what order. Little Brown, New York.
- Klocker, C. (1985) The idea of police sage. Beverly Hills.
- Koffman, L and Baxter, J (1985) Police, the constitution and the community; a collection of essay and issues raised by police and criminal Evidence Act 1984. Professional books Ltd., Oxon.
- Koroma, S. D. (1987) "A discussion on crime and its causes in Nigeria: The search for its solution, an overview". A seminar paper deliver at the Association Week of the Anthropological and Sociological Student Association of the University of Maiduguri, Maiduguri.
- Kuhn, T.S. (1962) The structure of scientific revolution. University of Chicago Press, Chicago.
- (1974) "Second thought on paradigm". In: Suffe, F. (Ed) The structure of scientific theory. University of Illinois, Chicago.
- Kyari, Tajani (1988) "Role of police in maintenance of internal security: A critical appraisal from an advocate of a citizens police force". A seminar paper delivered to the Senior Executive Course 10 of the National Institute of Strategic Studies, Kuru, Jos May, 23rd.

- Lacey, N. (1988) State punishment: political principles and community values. Routledge and Kegan Paul, London.
- Ladan, M. T. (1999) "Role of law Enforcement officials in the promotion and protection of Human Rights". Being a paper presented on the Workshop for Law Enforcement Officials in Human Rights and the Law, Kaduna, 1999.
- Lafaver; W.R. (1965) Arrest: the decision to take a suspect into custody. Little Brown and Company, New York.
- Lawrence, B. (1978) "Legal issues of law enforcement in future policing". In: Cohn, A.W. (Ed) Determinants of law enforcement policies. Lexington Books, Massachussets.
- Lucas, J.R (1980) On Justices. Oxford University press, Oxford.
- Mahmood Y. (SAN) (1985) "The criminal process". Presentation at the All Nigerian Magistrate Conference, Kaduna.
- Malcon, A, (1994) "Agenda for police cooperation". In: Malcolm, A and Darboer, M. (Eds). Policing Across National Boundaries. Printer Publishers, London
- Malik, A. S.. (1994) "Justice before trial: A stusy of pretrial police practices in Kaduna State". (Unpublished M. Sc. Thesis), Ahmadu Bello University, Zaria.
- Marenin, O. (1962) "Parking tickets and class repression". The concept of policing in critical theories of criminal justice contemporary crisis. Vol.6, 241-266.
- (1983) "The political Economy of policing in Nigeria". Paper presented at the Western Politician Science Association Convention, Seattle (op cit).
- Maeshall, P. (1975) "Urban stress and policing". In: Brown, S. and Grah-man, H. Eds). The police and the community (op cit).
- Mayntz, R. (1980) "Executive Leadership in Germany. Dispersal of power". In: Rose, R. and Sulieman, E.N (Eds) Presidents and Prime Ministers. American Enterprise Institute, Washington D.C. May.
- McCreeedy, R. K (1978) "The changing nature of police management". In: Cohn, A.W (Ed) Future of policing. Sage publication, Berverly Hills.
- Memebre, C.F.L. (1982) "Police Law Enforcement Standards". Police Studies Manual. Vol. I, Memebre Foundation Books, PortHarcourt.
- Miller F. (1970) Prosecution. The Decision to charge a suspect of crime. Little Brown and Company, Boston.
- Mike Brogden et al. Introducing police work. Unwin Hyman, London.

- Muir, W. K (1977) Police; street corner politician. University of Chicago press, Chicago.
- Newman, G. (1985) Just painful: A case for corporal punishment of criminal. Little Brown, New York.
- Nicholas R. Fyfe (1992) "Towards locally sensitive policing. Politics, participation and power in police Consultation". In: David Evans et al (ED). Crime, Policing and place Essays in Environmental Criminology. Routledge, London.
- Niel, W. (1994) European integration and European policing: A complex relationship. Printer publishers, London.
- Nietzsche, F.(1976) "The genealogy of morals". In: Morris, M (Ed) The birth of tragedy and the genealogy of morals. Little Brown, New York.
- Nnoli, O. (1972) The Intellectual Aspect of the struggle for Nigeria Development. Fourth Dimension publishers, Enugu
- Norman Davidson and Trevor Locke (1992) "Local Area Profile of crime". In: David Evans (ED). Crime, policing and place. Routledge, London.
- Nweze A. (1987) "Psychology's contribution to policing in Nigeria". Paper presented to the Annual Conference of Nigeria Psychological Association. University of Lagos. May 6-9.
- (1993) "The Effort and control of stress in police duties". Paper presented at the seminar/workshop for intermediate command course 16/93. Police Staff College, Jos, February.
- Odekunle Femi (1975) "The police protection aspect of social defence administration; An assesment of the Nigeria Police Force". A paper presented at the conference on social research and national Development in Nigeria. Ibadan.
- (1976) "A preliminary assesment of the functional performance of the Nigeria police". International journal of sociology and law vol. 7, 61-83.
- Okonkwo, C.O (1966) The police and the public in Nigeria. Sweet and Maxwell, London.
- Oppenheim, A N. (1992) Questionnaire design, interview and attitude measurement. Printer publisher, New York.
- Oyovvbarire, S.E (1992) "Poltical development in Nigeria". In: Okon Edet. Uyo (Ed) Contemporary Nigeria: Essays in society, polices and economy, Educational publishers, Buenos Aires.
- Oyugi, W. O et al (1988) Democratic theory and practice in Africa. Heinemann and James Curry, Portsmouth.

- Page, C.E (1992) Political authority and Bureaucratic power: A comparative analysis. Harvester, Wheatsheaf, New York.
- Pashukanis, E, B (1976) Law and Marxism: A general theory. Arthur publisher, London.
- Percy Stephen (1979) "Citizen coproduction of community safety". In: Baker and Mayer. (Eds) Evaluating alternatives law enforcement policies. Lexington Books, Massachussets.
- Peter Hain Humphery & Brain Smith (1979) Policing the police: The compliant system. John Cober, London.
- Platt, A.M and Takagi, P. (1980) Punishment discipline. Berkeley press, California.
- Poulantza, N (1978) State, power and socialism. Arthur publishers, London.
- Preworski, A and Teune, H. (1989) The logic of comparative social enquiry. Willey Chicester, Sussex.
- Quinney,R.(1975) "Crime control in capitalist society: A critical philosophy of legal order". In: Young,J.et al (Eds) Critical Criminology, Routledge, London.
- Reiner,R.(1965) The politics of police. Wheatsheet, Brighton.
- Richard, E. S(1977) "A regulatory theory of policing. A preliminary statement". In: Bayley, D. (ed) Police and society. Sage publication, Beverly Hills.
- Richard Joseph (1976) "Affluence and underdevelopment: The Nigerian expe-rience". Journal of Modern Africa Studies.
- Report of Public Service Review Commission (PSLC) Main report (September 1974) Appendix 1:195-201
- Report of political bureau republic of Nigeria main report (March 1978). Federal Government Printers, Lagos.
- Report of Vision 2010(1997) Main report Federal Government Printers, Lagos.
- Report of Allison Ayinda public service Review Commission. (1994) main report. Federal Government Printers, Lagos.
- Report of M. D. Yusuf panel of inquiry on reorganization and reform of the Nigeria police force. September 1996.
- Robinson,C.D and Skaglion, R. (1987). "The origin and evolution of police formation in society". Law and Society Review:21:109-153.

- Rossi, P.H and Wright J. D et al (1983). Handbook of survey research. Academic Press, New York.
- Rotimi, Kemi (1993) "Local police in Western Nigeria; end of an era". In: Tamuno, T. et al (Eds) Policing in Nigeria, past, present and future. Malthouse Press Ltd, Lagos.
- Rowls, J. (1987). The idea of overlapping consensus. Oxford Journal of Legal Studies. Vol.1-25.
- Rubin, J. (1992). "Police identity and police role". In: Steadman (Ed). The police and the community. John Hopkins University Press, Baltimore.
- Rushe, G.(1980). "Labour market and panel sanction". In: Platt, T and Takagi, P. (Eds). Punishment and panel discipline. Berkeley, California.
- Sandra Dawson(1986) Analysing organization, 3rd edition. Macmillian press Ltd, Hampshire.
- Schumpeter, A. J. (1983) Capitalism, Socialism and Democracy. Harper and Lee, New York.
- Sherman, L. W.(1979). "Legal issue in law enforcement". In: Cohn, A. W (Ed). The feature of policing. Sage Publications, Beverly Hills.
- Skolnick, J.(1966). Justice without trials: law enforcement in democratic society. 2<sup>nd</sup> edition, John Wiley & Sons Inc., New York.
- Silverman, D. (1970) "Organizational structure and the accounting process". In: Makinley, J. B (Ed). Processing people: Cases in organizational behaviour. Holt, Tinehart and Winston, New York.
- and Jones J.(1973) "Getting in on" In: Child, J (Ed) Man and organizational Geoge Allen & Unwin,London.
- Simiyu, V. G. (1988) "The democratic myth in Africa traditional society". In: Oyuji, W. O. (Ed). Democratic theory and practices in Africa. Hienemann and James Curry, Portsmouth.
- Spitzer, S. (1981). "The political economy of policing". In: Greenberg, D. E. (Ed). Crime and capitalism: Reading in Marxist criminology. Mayfield publishing Co., California.
- Sussette Talarico and Charles Swanson (1979) "Style of policing: an exploration of compatibility and conflict". In: Meyer and Baker (Eds). Determinants of law enforcement policies. Lexington Books, Massachusetts.



- Swanson, C. (1979) "A comparison on organization and environmental influence on arrest policies". In: Mayer and Baker (Eds) Determinants of law enforcement policies. Lexington Books, Massachussets.
- Sykes, R. E. (1979) "A regulatory theory of police: a preliminary statement". In: David Bayley (Ed) Police and society. Sage publication, Beverly Hills.
- Tamuno, T. (1970). The police in modern Nigeria 1861-1761. Ibadan University Press Ltd, Ibadan
- (1979) "The police service". In: Ladipo Ademolokun and Gboyega, A. (Eds). Leading issues in Nigeria public service. Caxton Press West Africa Ltd, Ibadan.
- (1991) "Peace and violence in Nigeria: Conflict resolution in society and the state". Paper presented to the Panel on History project of Nigeria since independence. University of Ibadan Secretariat, Ibadan.
- et al (1993) "Policing Nigeria. Themes, issues and the way ahead" In: Policing Nigeria past, present and future. Panel in policing Nigeria project. Malthouse press Ltd, Lagos.
- Taylor et al (1975) The new criminology: For a social theory of deviance. Routledge and Kegan Paul, London.
- Tiffney, L. et al (1967). Detection of Crime. Sage Publication, Boston.
- Tinubu, K. O. (1969) "The dilemma of police under civilian rule cited". In: Tamuno, T. N (Ed). The police in modern Nigeria. Op cit.
- (1993) "Police statutory functions and powers". In: Tamuno, T. N et al (Eds). Policing Nigeria, past, present, and future. Paul on policing Nigeria project. Malthouse Press Ltd, Lagos.
- Tombs, R. (1980). "Crime and the security of the state: The dangerous class and insurrection in nineteenth century Paris". In: Gatrell, V. A. (Ed) Crime and the law. Routledge and Kengan Paul, London.
- Tufte, E. (1974) Data analysis and policy. Prentice Hall Inc., Eaglewood Cliff.
- Walker, B. W. and Tittle, C. R (1975) Call for police assistance: a consumer demand for government services. Addison-Wesley, Massechussets.
- Walter, R.H et al (1972) Punishment. Hammondsmouth, London.
- Weber, Marx (1947) The theory of social and economic organisation. In: Heinderson, A.M and Talcott Persons. Translation Free Press, New York.

- (1948) Politics as a vocation in essays from Marx Weber. Routledge and Kegan Paul, London.
- (1976) "Some consequences of bureaucratization". In: Coser, L.H and Rosenberg B. (Eds) Sociological theory. Macmillian, New York.
- Westley, A. W (1956) "Secrecy and the police". In: Johnston, W. (Ed) Social forces. University of California Press, California.
- Wilson, J. Q (1964). "Police authority in free society". Journal of Criminal Law, Criminology and Police Science. Vol. 54, 127-137.
- (1968) Varieties of police behaviour: The management of police behaviour in eight communities. Havard University Press, Cambridge.
- (1969) Attitude Versus Action. "The relationship of verbal behavioural responses to attitude objectives". Journals of Social Issues vol. 25-65.
- Willmot, A. M. (1965). Social defence. A modern approach to criminal problems. Routledge and Kegan Paul, London.
- Winch, P. (1956). The idea of social sciences. Routledge and Kegan Paul, London.
- Winkie, W. J (1975). "Inter governmental relations in criminal justice". In: Gardiner, A (Ed). Crime and criminal justice. Lexington Books, Massachusetts.
- Wright, M and Gallaway, B. (1989) Mediation and criminal justice: Victims, offenders and community. Routledge and Kegan Paul, London.
- Zacker, J. (1976) The police and interpersonal conflict. Police foundation, Washington D.C.
- Zeman, T. (1981). Order, Crime and Punishment. The American criminological tradition. University of California Press, Santa Cruz.

