

LEAD DEBATE ON

A BILL FOR

AN ACT TO REPEAL THE POLICE ACT CAP P19 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND TO ENACT THE NIGERIA POLICE ACT, 2019 TO PROVIDE FOR THE FRAMEWORK FOR THE POLICE SERVICE AND ENSURE COOPERATION AND PARTNERSHIP BETWEEN THE POLICE AND COMMUNITIES IN MAINTAINING PEACE AND COMBATING CRIME AND FOR RELATED MATTERS.

Sponsor: Senator Halliru D. Jika

Mr. President, distinguished colleagues, I thank you for the privilege to lead the debate on the general principles of this important Bill, for an Act to repeal the Nigeria Police Act Cap P19 Laws of the Federation, 2004 and to enact the Nigeria Police Act, 2019. This Bill was read for the First Time in this hallowed Chamber on Wednesday, 20th day of November, 2019.

Mr. President, this Bill seeks primarily to provide for the framework for the Police Service and ensure cooperation and partnership between the Police and communities in maintaining peace and combating crime and sundry acts of insecurity in Nigeria.

The recurrent challenges and deficiencies in structure, appointments, promotions, discipline, postings, trainings, kitting, weaponry, living condition, pension and retirement benefits; indeed the general welfare of our dear gallant officers, within the Nigeria Police Force, have persisted, largely because of the draconian and outdated statutes that guides policing in Nigeria.

Mr. President and distinguished colleagues, the present Police Act is not only fraught with deficiencies, but strangely, the major organization, duties, and powers of the Nigeria Police Force, as encapsulated in the

present Act, have largely remained as set out in the 1943 Police Act.

It is the recognition of the inherent shortcomings in the extant Police Act and the seemingly intractable challenge of insecurity in our country that has necessitated the proposed repeal of the extant Act and the enactment of a new one in its place, in consonance with the dictates of international best practices and the realities of present-day, Nigeria.

Mr. President, the security of life and property of citizens and residents remains one of the primary purposes of government, everywhere. The 1999 Constitution of the Federal Republic of Nigeria (as amended), in Section 14 (2) (b) indeed states that: "the security and welfare of the people shall be the primary purpose of the government".

Yet, the spate of insecurity and criminality in Nigeria has remained not only alarming, but unrelenting. Violent crimes, such as terrorism; kidnapping; armed robbery and banditry; suicide bombing; ethno-religious killings; suicides; election violence and other forms of nefarious activities, have characterized daily living in Nigeria. The negative impact of this sad security situation on the economy and general socio-political development of Nigeria are well-documented.

The 2019 edition of the Global Peace Index (GPI), which is described as the world's leading measure of global peacefulness, placed Nigeria, among the five least peaceful countries in Sub-Saharan Africa, including Democratic Republic of Congo (155), Central African Republic (157), Somalia (158) and South Sudan (161).

The GPI Report ranked Nigeria 148th among 163 independent States and territories, according to their

level of peacefulness. Nigeria thus retained this 148th spot, for the second year in a row, having attained the same unenviable position in 2018.

You may wish to recall, Mr. President and my dear colleagues that there was an attempt in the 8th Assembly, to repeal the extant Police Act and to enact a new Nigeria Police Act, but regrettably that effort could not be consummated before the expiration of that Assembly.

Part one of the new Bill captures its general and specific objectives of the Bill, which summarily is to provide for a more efficient and effective police service that is based on the principles of accountability and transparency; as well as the protection of human rights and fundamental freedoms. The extant Nigeria Police Act has neither general nor any specific objective.

In view of the concerns about adherence to human right norms by the police a clause making the Police duty-bound to promote and protect the fundamental rights of persons in police custody as guaranteed by the Constitution was inserted in this Bill.

Another deviation from the extant Police Act is the amendment proposed in respect to the Appointment, removal, of the Inspector-General of Police. This amendment was the one that became contentious especially in the view of the 8th House of Representatives. Another amendment has to do with the tenure of office of IGP-A 5-year was recommended for each IGP, to address the challenge of non-committal of the IGP to effect meaningful changes due to the usual short tenure of most IGPs. For instance, since 1999, there have been 10 IGPs, including the present one. This is an average of 2 years per IGP. Provisions relating to the removal of a serving IGP are so crucial, that they have also been inserted in this new Bill.

Additionally, Mr. President, distinguished colleagues, in response to the lacuna in the present law on the functions of the IGP, a clause is inserted in this new Bill to clearly state the limit of the powers and functions of the IGP and thus improve accountability.

The new Bill has equally proposed to increase the number of persons that have a say in assignment of Commissioners of Police to the different States of the Federation, to include the State Governors and the Minister of the FCT. It stipulates the Police Service Commission as the appointing authority. It also provides for Commissioners of Police to be appointed to head departments and other operational units.

Mr. President and respected colleagues, the new Bill also provides for the establishment of Community Police Forums and Boards by the Commissioner of Police of each State that shall consist of representatives of the Police Force and the local community in the State.

This clearly, is a paradigm shift from the traditional police system to a community-participatory system of policing, uniting ordinary citizens in their respective communities with the police in the prevention, detection and resolving crimes.

In order to address the prevailing issues of gender discrimination in and by the police, a clause prohibiting discrimination on the basis of gender in the Nigeria Police Force and by the Force has been deliberately inserted in the new Bill.

Mr. President, distinguished colleagues, Nigerians generally applauded the National Assembly with the passage of the Police Trust Fund Bill, which recently received the assent of His Excellency Muhammadu Buhari, President and Commander-in-Chief of The Armed Forces of the Federation. The reality is that except there is a concomitant amendment to the extant Act of the Nigeria

Police Force, the new Police Trust Fund Act, as important as it is, may not achieve the level of effectiveness and outcome desired.

In all, this Bill deserves an urgent attention as it leverages the existing legal gaps in the extant Nigeria Police Act which has resulted in administrative bottlenecks and the general poor policing and heightened insecurity across Nigeria. Interestingly, there is no extra cost implication with regard to the Bill.

I sincerely thank you for listening to me and for your anticipated support.