



EXAMINATION OF THE IMPACT OF THE POLICE ACT, 2020: NEED FOR AMENDMENT

By

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Abstract

Suffice it to say, that the Nigeria Police Force was established pursuant to Section 214 of the Constitution of the Federal Republic of Nigeria, 1999, as amended. By the aforesaid Section, it is the principal domestic security agency, saddled with the responsibility of ensuring peace, order and good government of Nigeria. The National Assembly is vested with the power to make laws for the agency and, in pursuance of the aforesaid power, the Nigeria Police Force (Establishment) Act, 2020, was enacted, to replace the defunct Police Act, 2004. The Act was greeted with optimism because it departed from the previous Act in several respects, which would be discussed herein. Having been in existence for a period of five years now, it became pertinent to explore the benefits and the likely areas of concerns from the Act that may call for further review or judicial attention in order to strengthen the Nigeria Police System in the discharge of its constitutional responsibility. In the light of the foregoing, therefore, the work aims to explore the positive aspects of the Act and also to examine the grey areas that may be affected in some aspects of Nigeria's jurisprudence. The work has employed the doctrinal research methodology in consonance with legal research. The work established that the Act has promoted constitutionalism to certain extent and addressed national security concerns. Conversely, the work also found that the Act conflicts with some legal principles and has yet to address some salient issues related to police force. It proffers sound recommendations that would lead to tackling the grey areas via legislative amendment or repeal and or judicial activism.

Key Words: Examination, Impact, Police, Amendment

INTRODUCTION

The Police Act, 2020, came into being with a lot of new vistas aimed at repositioning the Nigeria Police Force and strengthening the entire system towards enhancing and promoting the performance of its duties as the main domestic security agency in Nigeria. The content of the legislation is both proactive and responsive to the previous allegations leveled against the Nigerian Police. Apart from that, the Act has also taken cognizance of some of the salient suggestions offered by the public on how to bolster the efficacy of Nigerian Police Force. Having

existed for a period of five years now, it apposite to examine the efficacy or otherwise of the provisions and innovations, with a view suggesting practical ways of improvement that will promote the effectiveness of the Police in the discharge of their statutory duties.

In the light of the foregoing, therefore, this work is divided into four parts. The first part deals with the concise analysis of the Police Act, 2020, with a highlight of its legal structures. The second part espouses some of the positive aspects of the Act. The third part examines some negative effects of the Act on other aspects of legal practice. The fourth part of the work concludes with suggestions on how to further strengthen the efficacy of the said Act in terms of learning, policy formulation and advocacy.

SYNOPSIS OF THE POLICE ACT, 2020

Suffice to say that the current Police Act, 2020, is known as “the Nigeria Police Force (Establishment) Act, 2020”. The Act was passed into law by the Senate on the 22nd July, 2020 and assented to by the former President of Nigeria, Late General Muhammadu Buhari on September 16, 2020.¹ The first part deals with the preliminary part of the legislation. Here the objective of the Act is spelt out into two: general objectives and specific objectives of the Act.² The second part of the Act deals with the establishment, composition and duties of the Nigerian Police Force. Under this section of the Act, the hierarchy, functions, duties and establishment of the Police Council are spelt out. The third part of the Act deals with the appointment, removal and the functions of the Inspector-General of Police. In this part, the procedure for his appointment and removal are clearly laid down. His functions are equally clearly laid down.³ Part four of the Act deals with appointment of the Deputy Inspector-General, Commissioners of

¹ The Act is segmented into 17 parts. It has a total of 143 sections.

² Sections 1 and 2 Police Act 2020.

³ Sections 7 and 10 Police Act 2020.

Police and other members of the police force. Their respective duties and obligations are spelt out in the Act.⁴

Part five deals with the general administration of the Nigerian Police Force. It provides for oath taking by police officers. It provides for the regulations of the Police Recruitment Service Commission. Also remuneration, training programmes and appointment of supernumerary police officers are the key gist in this part of the law.⁵ In part six, the Act deals with the finances of the police force. It provides for the funding of the police, expenditure of the police force, estimates, accounts and audits as well as annual reports to authorities.⁶ In the seventh part, the Act deals with the power of the police officer. This is the widest part of the law.⁷ It deals with procedures like search, arrest, and recording of statements and other aspects of criminal procedures. Part eight of the Act, only deals with warrants in general. From the authority to issue warrant, its forms and its execution are spelt out under this part.⁸ In part nine, the Act deals with prevention of offences and security for good behaviour. It has about five sections; sections 84 to 85.

Part ten of the Act deals with property found but unclaimed. It outlines the procedures involved in reporting and documentation of such unclaimed properties.⁹ In part eleven, the Act outlines the establishment of the Police Reward Fund and functions. It also provides against

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⁴ Sections 11 to 16 Police Act 2020.

⁵ Sections 17 to 25 Police Act 2020.

⁶ Sections 26 to 30 Police Act 2020.

⁷ Sections 31 to 70 Police Act 2020.

⁸ Sections 71 to 83 Police Act 2020.

⁹ Sections 86 to 90 Police Act 2020.

police indebtedness, prohibits private business other than farming.¹⁰ Part twelve of the Act deals with general offences that will be committed by Police.¹¹ Part thirteen of the Act deals with special constable from their appointments (including appointment in emergency functions and regulation. Their allowances and remunerations are clearly spelt out.¹² Part fourteen deals with community policing. It spells out its establishment, objectives, duties and functions.¹³ Part fifteen of the Act deals with traffic¹⁴, while part 16 deals with public complaint and discipline.¹⁵ Part 17 of the Act deals with miscellaneous and it is in this part that prohibition against discrimination is spelt out. Disobedience to unlawful order, repeal, saving and transitional falls under this part. It is the final part of the Act.¹⁶

In view of the fact that the entire summary of the Act has been highlighted, it is crucial to explore how the main content of the Act has impacted on the rule of law and human rights in the last five years of its existence.

SOME POSITIVE REFEORMS/INNOVATIONS OF THE POLICE ACT, 2020

i. Promotion of Human Rights in the Professional Etiquettes of Police

The Act upholds the promotion of human rights as its core responsibility. This is reflected in the objectives and the functions of the police force. It is for this reason that section 1 of the Act, states that the promotion of human rights, transparency and accountability and partnership with other agencies to be the general objectives of the Nigerian Police. Under this

¹⁰ Sections 91 to 95 Police Act 2020.

¹¹Sections 96 to 104 Police Act 2020.

¹² Sections 105 to 112 Police Act 2020.

¹³ Sections 113 to 119 Police Act 2020.

¹⁴ Sections 120 to 131 Police Act 2020.

¹⁵ Sections 132 to 135 Police Act 2020.

¹⁶ Sections 136 to 143 Police Act 2020.

Act, respects for the rights of both criminals and the victims of the crimes are central to the operation of Nigeria's police.¹⁷

ii. Promotion of Transparency and Accountability

The Act also abhors corruption and lack of accountability in the discharge of the duty of Nigerian police force. This is so in order to ensure openness so that the police can gain public confidence in the discharge of its duty. Therefore, under the Act, law promotion of transparency and accountability is an integral parts of police law in Nigeria.¹⁸ The primacy of transparency and accountability is seen in the provision of section 8 (2) (c) and 8 (3), where the Inspector General of Police is mandated to published via gazette and submit an audit to the Attorney General of the Federation and the National Assembly yearly. The audit shall show the activities of the police in terms of its professional efficacy and compliance with rule of law.

iii. Community Policing

The introduction of community policing in the Act remains one of the best innovations in the Police Act. Indeed, the emergence of community policing in the theatre of Nigeria's security has no doubt helped in curbing the spade of crimes in most parts of the country, especially in the North east where Boko Haram is prevalent, in the North West where there is banditry and in the North Central where there are attacks from gunmen. This is because many Nigerians yearned for it as a way forward in addressing current Nigerian security challenges. Thus, section 4(h) of the Act adopts community partnership in combating crime. To further strengthen this position, sections 113 to 119 provide for the establishment of community policing. Under the Act, the

¹⁷ Section 2 (b) and (h) and section 5 of the Police Act, 2020

¹⁸ Section 2 (b). Also, the sections 28 and 29 provides for the financial records of the Police to be submitted to the Auditor-General and the National Assembly, annually. See also sections 27 of the Bill.

Community Police Committee was established to ensure the operation of community partnership in prevention and detection of crime. In order to ensure the operational efficacy of this Committee, the Act divides the community policing into two: Divisional Community Policing Committee and State Community Policing Committee.¹⁹ The objectives of these committees are spelt out in section 116 of the Police Act, 2020 as follows:

- i. Maintain a partnership between the community and the Police Force;
- ii. Promote communication between the Police Force and the Community;
- iii. Promote cooperation between the police and the community in fulfilling the needs of the community regarding policing;
- iv. Improve the police service to the community; and
- v. Improve transparency and accountability in the provision of police services to the community, among others.

By introduction of Community Police in Nigeria, several states, and their state security councils, shall have a say in the security architecture of their states. This is more pertinent, considering the facts that the State Executive Council and members of the Communities will have a say on the decision relating to security matters. Thus, community security outfits like the vigilante, may have stronger tie and partnership with police by combating crime. The importance of vigilante to partner with the police is that it will subject the said vigilante (or community police) under the supervision of the police. This will be apt in a situation where residents of communities wish to protect themselves and so in order to curb their excesses, the police supervision is necessary. This position is recently upheld by the Supreme Court in the case of

¹⁹ *Nigeria Buhari Signs New Police Law*, Premium Times, Abuja, 17th September, 2020<@allafrica.com> accessed on 20th September, 2025.

*Ezeanochie v Igwe*²⁰ that by virtue of the Group Vigilante Law, 2004 of Anambra State, the Police is statutorily empowered to supervise vigilante outfits. The impact of the above dictum of the Supreme Court to the Police Act can be likened to an icing on a hot cake. Thus, community policing is a strategic and timely approach both in law and in need.

iv. Prohibition of Arrest by Proxy

Nigeria police were known for arrest by proxy. This happens when a person suspected is at large, then somebody in his stead could be arrested. That person could either be his relative or associates- who may not be aware of anything. The recurrence of this abuse of law is so gross that section 7 of the Administration of Criminal Justice Act, 2015, prohibits arrest in lieu of suspect.

Therefore, based on the above developments, the emergence of section 36 (a) of the Act, is a welcome development. The said section clearly prohibits arrest by proxy when it simply states that a person shall not be arrested in place of a suspect.

v. Prohibition of Police on Arresting Person in Civil Cases

The Police Act provides that a person shall not be arrested merely on civil wrong or breach of contract.²¹ Nigerian police were notorious for arresting suspects in civil matters such as contracts and debt recovery. This development is so disturbing that the Supreme Court condemned these acts in plethora of cases.²² Therefore, the statutory restriction and outright prohibition of police to arrest a person on civil offence is a welcome innovation. Signs are clear that if this is not done there is likelihood of people seeking legal redress against the police or complainants for taking

²⁰ (2020)7 NWLR (Pt. 1729) P. 458, Paras. D-E.

²¹ Section 32 (2) of the Police Act, 2020.

²² Some of these cases include *EFCC v Diamond PLC* and *Kure v COP* (2020) 9NWLR PT.1729.

them to police station in civil matters. This is seen in the dictum of the Supreme Court in the case of *Kure v COP*²³ where the Apex court held as follows:

...such a person ought not to go scot-free, as the report ought not to have been made at all since it is not within the purview of the police duty. It is a report made malafide and he will be equally made liable for the action taken by the police irrespective of whether he actively engaged them or not, since he has no business involving the police in purely civil matter ought to be punished for exemplary damages

...in the instant case, the appellant deserved an unreserved apology from Mrs Sokari Davies, who set unjustly and mala fide the criminal process against the Appellant.

It is important to note that by the above authority, where an individual initiates a civil matter to the police and another person is detained or suffer for it, such person may be held liable. While the Police Act, 2020, prohibits the police force from entertaining civil matters, the Supreme Court in the above case is warning the public against reporting civil matters to the police. The Courts have warned the Police in an avalanche of judicial authorities to refrain from interfering in civil matters. In the case of *AIG & ORS v Gombe*²⁴, the Court stated that the police (or any other Law Enforcement Agency, for that matter, including the Economic and Financial Crimes Commission) are not allowed to dabble enforcement of civil contracts and agreements, or

²³(2016) 13 NWLR (Pt. 1529) 304.

²⁴ (2016) LPELR-40816 (CA).

to engage in recovery of debt. In *Theophilus Kure v Commissioner of Police*²⁵, Aji JSC, lamented the situation, thus:

As I went through the facts of this case, I was wondering how a purely civil matter could easily metamorphose and transubstantiate into a purely criminal case. The end result now is that the appellant has suffered irreparable damage, disgrace, shame, odiousness, and untold hardship in the hands of the police that is constitutionally and legally saddled with prosecution of criminal offences. The police have muzzled the rights and freedom of Nigerians even where cases are clearly outside their jurisdiction, power or corridor. If this is not curbed, everybody including the judicial officers, will suffer from floodgates of civil matters being hijacked by the police and transmuted into crimes. If this is not tackled, everybody would have suffered in the merciless hand of the police who has become a law unto itself in this country. The primary duty of the police by section 4 of the Police Act is the prevention, investigation and detection of crime and prosecution of offenders.

vi. Quarterly Reports of Arrests to Attorney-General of the Federation and Attorneys-General of the State

The Act mandates the IGP to quarterly report the number of arrests made to the Attorney-General of the Federation or the Attorneys-General of the States.²⁶ This report includes arrest made with or without warrants. In the same vein, the Commissioner of Police shall report to the state Governor quarterly the number of the arrest made. In the course of submitting their

²⁵ (2020) LPELR-49378 (SC).

²⁶ Section 47(1) Ibid.

quarterly reports of arrest to the AGF and AGs, the IGP and Commissioners of Police respectively are mandated to give the full particulars of the person arrested. Similarly, the AGF is enjoined to keep electronic and manual database of all arrested persons.²⁷ The AGF is further mandated by the law to make available such records of such reports to Civil liberty organizations, National Human Rights Commission, Legal Aid Council and other NGOs. However, this must be done after these groups have requested for it.²⁸

The quarterly reports by the police to the AGF and AGs are important because it promotes accountability and transparency. The report is equally important to AGF and AGs because it may affect the granting of legal advice on the ways forward. It will help them to decide which case is to be prosecuted and which is not. Similar duties are to be exercised by the police officer in charge to forward a monthly report to the magistrates under section 69(1) of the Act.

vii. Duty to Disobey Unlawful Orders

This is another applauded innovation of the Police Act. It seeks to address a situation whereby junior officers commit crimes in course of their operations at the direction or commands of their superior. Thus, in order to curb this menace, section 138 (1) provides that a police Officer who, on reasonable grounds, believes that an order given to him by a senior officer is unlawful, is not bound to comply with the order, and the officer shall immediately make a report in such form as it is provided for by Police Service Commission for that purpose. The above provision by the Act shows Nigeria's compliance with principles of International Policing. For example, International Policing Standards clearly states that superior officers shall be liable for

²⁷ Section 47(3) Police Act 2020.

²⁸ Section 69(4) Police Act 2020.

issuing unlawful orders that amounts to violation of human rights.²⁹ In the same vein, a junior officer is reminded by the law that he cannot rely on the defence of superior order to justify any wrongdoing in the discharge of his duty.³⁰ Thus, the provision of section 138(1) of the Act is in tandem with international best practices.

viii. Prohibition of Discrimination

The law prohibits discrimination on the ground of gender in the practice or operation of Nigeria Police Force. The law prohibits police as an institution, and any other person as an individual, to promote discrimination using the instrumentality of the law. Thus, section 136 of the Act provides, amongst others, that the Police Force or other persons shall not, in the performance of its or his function under this Act, Regulations or Standing Order made under this Act, discriminate against any person on the ground of gender as provided under section 42 of the Constitution.

The above provision is pertinent because of its victory to feminism. This is because under the repealed Police Act, 2004, before a female police officer will marry, she must obtain the consent of the Commissioner of Police of the state she is serving. She must equally await the approval of police authority before proceeding to marry.³¹ However, this is not the same case with the male police. It is from this perspective that one can agree that by repealing the Police Act, 2004, the Police Act, 2020 really promotes equality before the law. This also accords with the Section 42 of the Constitution of the Federal Republic of Nigeria which provides for the right to freedom from discrimination.

²⁹ See Principle 24 of the Basic Principles on The Use of Force and Firearms by Law Enforcement Officials. Culled from UN Criminal Justice Standards for United Nations Police@<www.refworld.org/pdfid/4d9c9d9d> accessed on 10th September, 2025.

³⁰ Ibid.

³¹ Regulations 124 of the Repeal Police Act, CAP 19 LFN 2004.

vix. Recognition of Rights to Public Protest

Prior to the coming of this Act, Nigeria police tried to restrict civil liberty in terms of right to protest. An attempt to actualize that was done through the emergence of the Public Order Act.³² Section 2 of the Act which states to the effect that any protest or civil gathering done without police permit is illegal. When that law was tested in the court of law, the court declared such law as unconstitutional and null and void.³³

Therefore, the recognition of rights to public protest is ‘demos’ friendly. Also, from the import of the said section 83(4), what the person or persons seeking to protest need to do is to notify the police and not to apply to them (for this will entail awaiting permission). As such by the rendition of section 83(4) of the Act, the permission of the police is not needed. The law further enjoins the police to provide security and protection for those citizens who will be exercising their civic rights. The aforesaid section 83(4) of the Police Act provides that:

Where a person or organization notifies the police of his or its intention to hold a public meeting, rally or procession on a public highway or such meetings in a place where the public has access to, the police officer responsible for the area where the meeting rally or procession will take place shall mobilize personnel to provide security to provide security cover for the meeting, rally or the procession.

³² CAP. P42 ,2004.

³³ *ANPP & ORS v IGP(2006)CHR 1*

x. Unclaimed Properties

This is another applauded step taken by the Nigerian police to ensure transparency and accountability to the public in discharge of its duty. In the main, this law seeks to address how the police force shall account for the properties that were lost but unclaimed. It is for this reason that section 88 provides to the effect that any person, including police officer, who found a lost property shall notify the nearest police station within 24 hours and the police officer on duty shall make a record of that lost but found property.³⁴

In a similar vein, the law enjoins the police to keep a Record Book for the unclaimed properties. In the record, the particulars of the goods shall be captured in the record book. The time, date and circumstance under which the good was found must be described.³⁵ The name and signature of the person who found the good and the Police officer who reported the goods must be appended on the Record Book.³⁶

xi. Reporting of Missing Persons

Another innovation is the need to report a missing person within 24 hours. This section poses the responsibility on employers and persons whom the missing person stays with to notify the police once that person is missing. This section further states the need for the person reporting to: a. state the identity of that person, and b. the circumstances under which that person is missing.³⁷ After doing the above, the Police Officer in is expected to immediately record the name and the identity of the missing person. He shall equally record the name of the reporter as mandated by section 90 (2) of the Police Act. The importance of this section is that it may help

³⁴ Section 88(1) and (2) of the Police Act 2020.

³⁵ Section 88 (3) (a) and (b) of the Police Act 2020.

³⁶ Section 88 (3) (c) (d) (e) and (f) of the Police Act 2020.

³⁷ Section 90 (1) (a) and (b) of the Police Act 2020.

innocent citizens from becoming victims of criminal allegations. For example, unsuspecting members of the society who found a missing property (that was not known to him as a stolen one) should report to the police. This may show his innocence and vindication. But where he kept such property, he will be accused of keeping/receiving a stolen property.

xii. Documentations of Arrests, Witnesses and Death in Police Station

The Act mandates the police to keep records of the accused persons and witnesses to the case. In doing so, the police officer shall enter into the record Book, the name of the person and his national identity Number. Also the need to record any ailment or medical condition of the accused or suspect is now the requirement of law.³⁸ The last sentence in the above is laudable because, it will help to determine whether the accused persons were wounded in the police custody or not. This is mostly in situation of trial- within- trial. This will help the court to rely on the report of the medical situation captured in the record book to arrive at its verdicts. Again, the new Act mandates the police officer to record the particulars of persons whom they might have wounded or killed in the course of their operations. They must record the numbers of those killed and their names where possible. The Commanding Officer must also state the efforts made towards the hospitalization of those shot or any methods towards the preservations of their lives.

This provision of the law seeks to fill in the gap of accidental discharge mostly relied upon by the police during trial. The law is now extending the frontiers of excused or justification for any police officer to escape liability for extrajudicial killing. Thus, the new law states that failure by

³⁸ Section 89 (1) Police Act 2020.

the commanding Officer to comply with the above discussed procedures of documentation will amount to act of serious misconduct and he will be liable to disciplinary action.³⁹

xiii. Proliferation of Special Agencies

Many police agencies emerged from this Act. The agencies are meant to facilitate and promote the efficiency of Nigeria police. This includes Police Reward Fund, Community Police Committee and Police Complaint Response Unit. These agencies are saddled with specific functions that relate to their spheres of operation. All are meant to promote the administrative efficiency of Nigerian police.

xiv. Appointment of Certain Professionals as Specialist

The Act spelt out certain persons that will be employed as specialists. Persons from these disciplines are expected to practice as specialist. These specialists are meant to deploy their expertise in serving the police force. The disciplines are: Engineering, Medicine, Pathology, Aviation, Law, Psychology, Accountancy and Forensic science.⁴⁰

SOME GREY AREAS OF THE POLICEACT, 2020

While the positive impacts of the Act is commendable, objectivity demands that it will be nice to examine of the grey areas that are associated with the law. These grey areas are examined at the subsequent paragraphs.

i. Community Policing vs. State Police

³⁹ Section 89 (3) of the Police Act 2020.

⁴⁰ Section 18(9) of Police Act 2020.

One of the pertinent areas of concern that is addressed by this Act is community policing. By community policing, we mean a philosophy that has to do with collaborative partnership between law enforcement and the community to proactively identify and solve problems that lead to crime and social disorder. The aim is fundamentally to provide an atmosphere in which the police and law abiding citizens can work in partnership to solve problems. Share resources, prevent crime, promote inter agency collaboration, bring offenders to justice, reduce conflict and improve the overall equality of community life.⁴¹ State Police contemplates a situation where the states in Nigeria will be given the opportunity to operate own their police. This means that Section 214, which establishes the Nigeria Police Force, will be amended to allow for the existence of state police.⁴² The debate on the creation of state police in Nigeria is one that has occupied the front burner of discussions in recent times.

One of the reasons for advocating for the creation of state police have stemmed from the need to empower state governors to give or dish out orders to security agencies to act swiftly in situations of grave insecurity that has bedeviled us in Nigeria, without having the need to follow the bureaucratic bottlenecks associated with the federal police. On the contrary, those who argue against the establishment of state police hold the opinion that governors will use it a tool for fighting political enemies.⁴³ At the moment the issue of state police is still pending before the National Assembly. Thus, the question is: is community policing a better substitute for state policing proposed by many Nigerians? Many Nigerians may still prefer the concept of state policing as more preferable to community police. This is because the community policing still subjects the Governor to Federal power through the office of the IGP. However, by deploying

⁴¹ Security, Justice and Growth, “Community Policing: Frequently Asked Questions” <<https://www.britishcouncil.org.ng>> accessed on the 10th October, 2025.

⁴² Habib M N, “Quest for State Police in Nigeria: In Who’s Interest?” *Journal of Social Sciences and Humanities* (2025) (10)(2) 179-186.

⁴³ Ibid.

the concept of state police, the concept of true federalism will be reflected in the Nigeria security architecture. It will give the Governors more powers to justify the accolade “Chief Security Officer” of their states. They will no longer be so-called Chief Security Officers of their respective states, but Chief Security Officers with full powers at their disposal to act as and when due. It is in this connection, and for the reasons stated above, that some have put forward the argument that it will be more progressive if the Police Act recognizes ‘State Police’ than Community Police.

ii. Exception for Debt Recovery

Section 93 of the new Act prohibits police officer from indebtedness of any kind while in service. However, where he does, he shall be disciplined and deductions will be made from his salary. The only exception is seen in section 95 of the Act which states that the remuneration of the Police shall not be withheld on account of any debt or liability which may have been incurred before being appointed to the police. The import of this section is that once a person is indebted and he later joins a police force, his account cannot be withheld in satisfaction to repay that debt. Looking at this section critically, it is crystal clear that it will amount to injustice on the part of creditors whose debtor joined police force without satisfying the debt. Also, there are some debts that are paid by installments. Thus, where a person collected tranche of the debt, while he was not yet a police, and latter collected the completion of the debt as police officer, what course will the law take within the precinct of section 95? The section obviously creates injustice and should, in ordinary course of events, be strictly applied strictly against the said police officer.⁴⁴ If not so some mischief makers will be using police as shield. The law is trite and well settled, in a long line of judicial authorities, that he who comes to equity must come with clean hands. In

⁴⁴ Ibid.

*Nigerian Army v Aminu*⁴⁵, the Supreme Court of Nigeria stated that a litigant who contributed to the delay of their trial could not use that delay to seek dismissal of charges. The Court stated such a party has soiled hands to ask for discretion of favour of the Court.

iii. Offences in Sections 96(1) Of Police Act, 2020

The Act does not list abuse of human rights such as detention by the police officer beyond constitutionally approved time as an offence. This will put police officers who delight in malicious detentions of suspects at the behest of third parties. The offences only spelt out issues like desertion, abetment, mutiny, false information and other anomalies.

iv. Prerequisite for the Registration and Accreditation of Private Detective School and Private Investigative Outfits

The law ought to expressly state the procedures for the application for the operation of the private detectives school. The law ought to spell the prerequisite for determining who is qualified to operate private investigative outfits. The law is also silent on statutory bodies that can, register, admit or recruit private detective and investigators. One should expect that the Police Council or Police Service Commission should have a say here. But it appears that it is the IGP that has these overwhelming powers.

CONCLUSION

In conclusion, this paper has considered the new innovations brought about by the Police Act, 2020, as well as the grey areas that still exist in the Act, which need further amendment to enhance the effective functioning of the police. The Act has been in operation for five years now, and the grey areas need to be looked into and properly considered so that the Police for the purpose of ensuring that the police effectively and efficiently discharges its constitutional

⁴⁵ (2010) JELR 47593 (SC).

mandate. In order to compliment the robust initiative of the Police Act, certain measures may be taken. These include need for more labour force, capacity building programmes, incentives for the police force and implementation of the Act.

1. The first thing to note is the need for more professional labour force in the Nigerian Police, considering the fact that the institution of the police has proliferated into a more advanced one in dealing with civic policing, e-policing, forensic science, auditing and others specialties. Thus, there is the need for more manpower with expertise to man those offices. The current employment ratio of Nigeria police force should be increased.
2. There is the need for constant retraining and retraining of the Police Force in democratic policing. Areas of concerned include crowd management e-policing, emotional intelligence and other associated areas. This is essential in the 21st century policing. Capturing those traits in the law is not enough. They should be backed with action.
3. The IGP and the Police Service Commission shall promote the annual incentives scheme to encourage the Police force in line with the power conferred on them by the Act. This will boost the morale.
4. Again, for more transparency the promotion criteria should be spelt out under the Act. What years or achievements should one made before qualifying as for promotion to the next rank? Also what other parameters are used in gauging the promotion.
5. It is not only studying or writing the law that matters; implantation of the law is what translates the ideal of the law into reality. Therefore, there is the need for government to equip Nigeria's police force financially and materially. This will bolster the efficiency of Nigerian Police towards achieving its aims and objectives. Alternatively, the Act should

be further amended to allow for the establishment of state police to compliment the Nigeria Police Force.