



Enhancing Law Enforcement in the Criminal Justice System of Nigeria: Forensic Psychology as a Path for Sustainable Development

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ARTICLE INFO

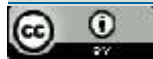
Keywords: Forensic Psychology, Law Enforcement, Justice System, Sustainable Development, Nigeria

Received : 20, September

Revised : 21, October

Accepted: 30, November

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ABSTRACT

To achieve sustainable development, law enforcement and criminal justice systems become critical contributors. This paper, *Enhancing Law Enforcement and Criminal Justice System in Nigeria: Forensic Psychology as a Path for Sustainable Development*, examined how forensic psychology may help improve Nigeria's law enforcement and criminal justice systems. It x-rayed the establishment of the law enforcement systems in Nigeria that culminated in the criminal justice system. The study revealed significant gaps in investigative techniques, evidence handling, psychological assessment, training and capacity building, corruption, and nepotism. It was concluded that Forensic psychology offers valuable solutions to these issues and is critical in rebuilding Nigeria's law enforcement and criminal justice systems. By addressing the "Nigeria Factor" and implementing recommended reforms, the country can move towards a more efficient, effective, and just system. Finally, the paper recommends integrating forensic psychology into law enforcement training, establishing specialised forensic units, enhancing psychological assessment and profiling, promoting evidence-based investigation, and addressing corruption and nepotism through psychological interventions. Effective implementation of these recommendations can contribute to a more efficient justice system, reduced crime rates, and sustainable development in Nigeria.

INTRODUCTION

Since time immemorial, every society has laws that govern their land and, as such, calls for enforcement. For instance, in traditional Igbo society, laws are made by the elders, umuadas, and most often the general assembly. Once there is a law, there must be a penalty or punishment for offenders, and as such, enforcement becomes inevitable. The use of masquerades, youths, umuadas, age groups, cult groups, etc. as enforcement agents were recorded. Generally, upholding law and order and dealing with lawbreakers have always been personal affairs. It was the duty of the populace to safeguard themselves and maintain social order. Uniformed and organised police forces, as we know them today, were uncommon back then. The modern police force started in England in the 19th century and later spread to Nigeria and as such introduced the criminal justice system. However, it was anticipated that this system would bring sanity, justice, law and order in our society but that was not the case. This is because many injustices have been recorded over the years in our criminal justice system by the handlers, for instance, the Nigerian police have enormous powers and roles in the administration of the criminal justice system but they are riddled with the 'Nigerian Factor' concept. This concept encompasses unhealthy and unsavoury behaviour such as corruption, dishonesty, fraud, nepotism, ethnicity, and tribalism (Okogbule, 2004). Unfortunately, it has come to mean corruption, nepotism, dishonesty, fraud and even anything negative in our national life (Jibril, 2003), more especially, in our criminal justice system. Nevertheless, corruption and injustice could be witnessed in every clime, however, what makes Nigeria's case worrisome is the audacity with which it is being perpetrated, especially in the criminal justice system. This trend can prevent any society from achieving sustainable development if not curbed to avert the criminal justice system in Nigeria from being eroded.

More so, it is pertinent to know that the criminal justice process commences when the Police have a reasonable suspicion, from a report/direct encounter, that someone has done or is committing a crime. It continues until the end of the trial and, if convicted, through sentencing, incarceration, and release upon completion of the term. If a police officer feels a person has committed a crime, they make an arrest.

LITERATURE REVIEW

What occurs after that or the steps that such a person goes through to acquittal in court, release after his jail sentence or fulfilment of alternative punishment constitutes the criminal justice system (Ogunode, 2015). So, according to the Black's Law Dictionary, criminal justice is the collective institution which an accused offender passes until the accusations have been disposed of or the assessed punishment is concluded. In general, the criminal justice system is formed of three organs: the first is the law enforcement authorities, which are predominantly the Nigerian Police Force, the second is the judiciary on one side and defence counsels on the other, and the third is the prisons. Therefore, the police, the courts, and prisons constitute the major components or agencies of criminal justice (Ajah, 2018; Nwune, Chikwelu, Ajah, & Obiefuna, 2018). So, the Nigerian criminal justice system's statutory functions

are as follows: the police are responsible for detecting crime and apprehending people who violate criminal law; the courts decide guilt or innocence and sentence those who are convicted or plead guilty; and prisons or correctional institutions carry out the courts' sentences and the rehabilitation process of convicts.

METHODOLOGY

What is Law Enforcement

At this point, law enforcement refers to the systematic efforts of some government officials to uphold the rule of law through the identification, investigation, deterrence, rehabilitation, or punishment of individuals who disobey social norms and laws (New Law Journal, 1974). In this regard, law enforcement encompasses police, courts, and correctional centres. Globally, law enforcement is connected to maintaining social order, safeguarding individuals and their property, and defending the public (www.theiacp.org). Law enforcement has existed since before the arrival of European settlers, otherwise known as policing. Policing' implies a set of processes with specific social functions.

It is worth noting that, Sir Robert Peel is the founder of modern policing. According to Dempsey and Forst (2005) Peel's early police were guided by the following nine principles:

- a) The primary purpose of the police is to prevent crime and disorder.
- b) The capacity of the police to accomplish their tasks is contingent on the public's perception of their conduct.
- c) To gain and sustain the public's respect, police must obtain their willing participation in voluntary law adherence.
- d) The degree of public cooperation that can be gained decreases proportionally to the requirement of using physical force.
- e) Police seek and maintain public favour not by pandering to popular opinion, but by consistently providing a total unbiased service to the law.
- f) Police use physical force to the extent necessary to secure observance of the law or restore order only when the exercise of persuasion, advice and warning is insufficient.
- g) Police should always maintain a relationship with the public that reflects the historic tradition that the police are the public and the public are the police, with the police being the only members of the public paid to devote full-time attention to duties that every citizen is obligated to perform in the interest of community welfare and existence.
- h) Police should always direct their action strictly towards their function and never appear to use the power of the judiciary.
- i) The lack of crime and disturbance, rather than outward proof of police action in dealing with it, is the true test of police efficiency.

So, the adoption of the Peel principle of effective policing resulted in the English model of policing becoming the model for other countries, particularly the United States and Nigeria.

The Gap

The Nigerian Police Force plays a key role in the administration of criminal justice in Nigeria. Its powers, responsibilities, and obligations extend across the judicial system, from crime prevention to prosecution and punishment. As established in the Constitution of the Federal Republic of Nigeria 1999 (as amended);

“There shall be a Police Force for Nigeria which shall be styled the Nigerian Police Force and subject to the provision of this section, no other police force shall be established for the Federation or any part thereof. The members of the Nigeria Police Force shall have such powers and duties as may be conferred upon them by law.” (Constitution of the Federal Republic of Nigeria, 1999 section 214 (1)).

The Nigeria Police Force, through the Act, aspires to create an efficient and effective police force based on the principles of accountability and transparency, preservation of human rights and basic freedoms, and collaboration with other security authorities. (Nigeria Police Act, 2020). Also, the Act specifies the functions of the Nigerian Police Force. Some of these functions include the prevention and detection of crimes and the protection of the rights and freedoms of every person in Nigeria as provided in the Constitution, the African Charter on Human and Peoples Rights, and any other law; maintaining public safety, law and order; protecting the lives and property of all persons in Nigeria; and enforcing all laws, and regulations without prejudice to the enabling Acts of other security agencies etc. (Nigeria Police Act, 2020).

Nevertheless, all of these functions are commendable, and if carried out properly, will undoubtedly provide Nigerians with a decent police force; but, the reality on the ground is not as envisaged by the enabling legislation. The Nigeria Police Force has become known for its divergence from the core ideals and aims of the Nigerian State in establishing it, as noted in the Act (Human Rights Watch (2010)). One consistent thread throughout the Police Act is the mandate that the police should protect Nigerians' rights as provided by the Constitution and other enabling legislation; nevertheless, this is witnessed more in defiance than compliance (Human Rights Watch (2010)). To this end, most Nigerians have lost trust in the Nigerian Police Force's ability to carry out its duty. Several Nigerians have been victims of police incompetence in one way or another. Corruption, lawlessness, human rights violations, and unethical behaviour are prevalent in the Force (Carter & Marenin, 1980). Hence, the men and women of the Nigerian Police Force's capacity, competency, training, and motivation are also under question. Many police officers are uneducated and inadequate for their positions. The Force is not positioned as a force for anything good and constructive in the current world, which is disappointing.

(Omonobi, 2017). This is where psychology, especially, the forensic sub-field has a role to play in the efficient administration of the criminal justice system for sustainable development.

RESULT AND DISCUSSION

Psychology Interest in the Business of Law Enforcement

From the above, it is obvious that law enforcement agencies need to up their skills through professional engagements with psychologists in the areas of recruitment, training, and development for the effective discharge of their duties. Hence, police psychology is the application of psychological principles and clinical skills to law enforcement and public safety (Bartol, 1996). Like other sub-areas of forensic psychology, which is the professional application of psychological knowledge, concepts, and principles to civil and criminal justice systems (Bartol & Bartol, 1987), law enforcement should be based on research knowledge. Hence, the following are the major interests of psychology in law enforcement procedures:

- a. Preemployment psychology assessment
- b. Fitness-for-duty evaluations (FFDEs)
- c. Special unit evaluations (e.g. tactical response team, hostage negotiations teams, Terrorism unit etc.)
- d. Investigations (e.g. criminal profiling, psychological autopsies, handwriting analysis, and eye/ear witness hypnosis)
- e. Research and theory building in criminology
- f. Mental health evaluations (actus reus and mens rea)
- g. Advice to attorneys
- h. Advisory opinions
- i. Depositions
- j. Testimonies in court
- k. Child custody evaluations
- l. Screen and selection of law enforcement candidates
- m. Clinical services to offenders and staff in correctional facilities
- n. The design and implementations of interventions, prevention and treatment for youth offenders
- o. Counselling for victims of crime.

To this end, in Nigeria, there are over 10,000 agencies that qualify as law enforcement agencies, and they are found at different levels of government: federal, regional, state, local, and even towns. As law enforcement becomes more professional and the public demands more accountability (just like during ENDSARS), the role of psychological services in enforcement becomes more critical and prevalent.

Ways Psychology Can Improve Law Enforcement in Nigeria

There are many ways in which psychology can improve law enforcement processes; they include but are not limited to, training and development. Psychologists should be consulted by law enforcement agencies during their

recruitment, selection, and placement processes; this will usher in the best hands on the job and eliminate mediocrity from joining the initiative. Again, the very critical training process will also be supervised and spearheaded by psychologists, as the overall behaviour and mental status of would-be law enforcers will be put to the test. Finally, the development process of these law enforcers is very critical. Periodic evaluations of the mental status of law enforcers are paramount if we are to have near-perfect law enforcement agents who will remain professional in their calls. Specifically, the aims of improving law enforcement are to:

- 1) Maintain effective officers' discipline and sustain their morale
- 2) Evaluate and aid in the professional development
- 3) Ensure that new law enforcement officers receive adequate training in modern law enforcement procedures and methods
- 4) Establish appropriate service and staffing levels
- 5) Monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures
- 6) Maintain effective public relations and handle community issues tactfully and courteously to establish
- 7) Work with community-oriented enforcement groups and programs
- 8) Objectively review and handle citizen complaints
- 9) Establish and maintain cooperative working relationships with other agencies in similar lines of duty through an effective working relationship
- 10) Trigger the acquisition of knowledge in modern and scientific methods of crime prevention and criminal identification

CONCLUSIONS AND RECOMMENDATIONS

In conclusion, psychology (especially forensic psychology) has been the bedrock of countries with highly professional law enforcement agencies. This is so because psychology is the scientific study of human and animal behaviour, as well as their mental processes. So, the use of forensic psychology in law enforcement in Nigeria has great potential for resolving the country's peculiar difficulties, increasing the efficiency of its criminal justice system and helping Nigeria become a safer and more fair society by providing thorough training, assistance, research, and policy advocacy that will promote sustainable development. To this end, it is obvious that both the law enforcement agencies and the masses that are to be policed have one thing in common: behaviour. Therefore, law enforcement agencies, need to be above board to carry out their duties because an offender is assumed to be pathological. Hence, there is a need for highly efficient and psychologically balanced law enforcement agents to enforce the law and a just criminal justice system that will usher in sustainable development.

Forensic psychology, a field, that combines psychology and the legal system, as well as an intersection between psychology and the criminal justice system, provides a valuable toolkit for law enforcement in Nigeria by applying psychological principles to criminal investigations, interviewing techniques,

and overall functioning of the law enforcement processes and crime prevention strategies. Improving law enforcement's effectiveness is critical for public safety and community trust, as Nigeria faces a complex security landscape with various crime types ranging from petty theft to violent offences and cybercrime. The researcher recommends the following roles of forensic psychology towards enhancing law enforcement and the criminal justice system in Nigeria. Thus:

1. **Understanding Criminal Profiling:** Offender profiling is one way that forensic psychology may help with criminal investigations. Profilers use crime scene data, victim characteristics, and the nature of the incident to create a psychological profile of the likely offender. This profile may contain demographics, personality attributes, criminal background, and prospective reasons. Offender profiling, while not an exact science, can help to restrict the suspect pool, prioritise investigation leads, and detect probable future crimes. This will reduce the number of people on awaiting trial list in our correctional facilities.
2. **Effective Interrogation/Questioning Techniques:** Police questioning is a vital component of criminal investigations. Forensic psychologists may teach law enforcement agents evidence-based interrogation procedures that are efficient for obtaining true confessions and accurate witness testimony. These tactics include rapport-building, active listening, and open-ended questioning, which reduces the possibility of coercion or contamination of witness recollection. Furthermore, forensic psychologists may teach cops to recognise deception indicators and distinguish between real and fake confessions. This is because Nigerian law enforcement agencies have faced criticism regarding the use of coercive interrogation tactics that can lead to false confessions. Forensic psychologists can play a crucial role in mitigating this issue. By training officers on the psychology of false confessions, including the factors that make individuals susceptible to coercion. This, if done properly by law enforcement agents, can reduce the risk of wrongful convictions. Additionally, forensic psychologists can assist with post-conviction review of cases where false confessions are suspected. This will reduce the use of barbaric ways of making suspects confess to a crime whether actual or just to avoid pain.
3. **Addressing Witness Trauma:** Witnesses to crime can experience significant emotional distress. Forensic psychologists can equip law enforcement with skills to provide emotional support to witnesses, particularly children or victims of violent crimes. Techniques like Cognitive Behavioural Therapy (CBT) can help manage anxiety, fear, and intrusive thoughts. Furthermore, forensic psychologists can train officers to conduct trauma-informed interviews and minimise the risk of re-traumatizing victims while obtaining accurate information.
4. **Stress Management and Officer Well-being:** The psychological well-being of law enforcement officers is critical for maintaining an effective police force. Forensic psychologists can provide support programs focused on stress management, mental health, and resilience building. In

Nigeria, where law enforcement officers often face high levels of stress due to challenging working conditions, exposure to violence, and limited resources, such support can reduce burnout, improve job performance, and enhance overall job satisfaction. By prioritizing the mental health of officers, law enforcement agencies can ensure that their personnel are better equipped to handle the demands of their roles.

5. Profiling and Preventing Terrorism: Terrorism, particularly by groups such as Boko Haram, has had a huge impact in Nigeria. Forensic psychology can help us better understand the psychological bases of terrorism and radicalisation. By examining terrorist organisations' objectives and recruiting techniques, forensic psychologists can help design counter-terrorism policies that address the underlying causes of radicalisation. Furthermore, psychological profiling of suspected terrorists can help identify those in danger of radicalisation, allowing for early intervention and preventative initiatives.
6. Investigating Cybercrime: The increase in cybercrime poses particular problems to law enforcement. Forensic psychologists can help by studying the internet offender's psyche and intentions. They can help build online profiling tools for identifying fraudsters, analysing online behaviour patterns, and predicting possible victims. Forensic psychologists can also assist develop efficient techniques for internet sting operations and victim support.
7. Building Trust and Community Relations: Public trust in law enforcement is critical to effective policing and the criminal justice system. Forensic psychologists can help create training programs, that emphasise cultural sensitivity and de-escalation techniques. Officers who have been taught to recognise cultural subtleties and unconscious biases can strengthen connections with communities, encouraging collaboration and information sharing. Forensic psychologists can also help design community policing projects that will encourage collaboration between law enforcement organisations and people.

FURTHER STUDY

This research still has shortcomings so it still requires further research on this topic "Enhancing Law Enforcement in the Criminal Justice System of Nigeria: Forensic Psychology as a Path for Sustainable Development".

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